

PB#92-06

WALTER'S MOBILE HOME PARK

SBL 3-1-28

WALTER'S MOBILE HOME VILLAGE #92-6
RT. 207 (EXPANSION) (GREVAS)

Approved 5/9/96

TOWN OF NEW WINDSOR		General Receipt		12452
555 Union Avenue New Windsor, N. Y. 12550		January 31, 1992		
Received of	Walter	Mobile Home Village Inc.	\$	150.00
One Hundred Fifty and 00/100			DOLLARS	
For	Planning Board Application Fee #92-6			
DISTRIBUTION:				
FUND	CODE	AMOUNT		
#5434		\$150.00		
By Pauline H. Townsend			Title	
Town Clerk				

Williamson Law Book Co., Rochester, N. Y. 14609

TOWN OF NEW WINDSOR		General Receipt		12453
555 Union Avenue New Windsor, N. Y. 12550		January 31, 1992		
Received of	Pauline H. Townsend	\$	750.00	
Seven Hundred Fifty and 00/100			DOLLARS	
For	Planning Board Escrow Fee #92-6			
DISTRIBUTION:				
FUND	CODE	AMOUNT		
#5435		\$750.00		
By Susan Zappala			Title	
Deputy Comptroller				

Williamson Law Book Co., Rochester, N. Y. 14609

Myra 4/19/96

All conditions met, although Mike B said we would establish bond \$ when any C/O's requested. OK with me.

Frank E.

universal
No. F5-15113

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

15495

May 7 1996

Received of Walters mobile Home Village \$ 100.00

One Hundred 00/100 DOLLARS

For P.B. # 92-6 Approval Fees

DISTRIBUTION:

FUND	CODE	AMOUNT
Cr # 7337		100.00

By Dorothy H. Hansen

Town Clerk

Title

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/13/96

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 92-6

NAME: WALTERS MOBILE HOME VILLAGE
APPLICANT: DANTAS, ALLEN

DATE	MEETING-PURPOSE	ACTION-TAKEN
05/09/96	PLANS STAMPED	APPROVED
04/19/96	MARK APPROVED - CONDITIONS MET	SEE INSIDE FILE COVR
10/28/92	P.B. APPEARANCE APPROVE SUB TO BOND ESTIMATE AND O.C. HEALTH APPR.	APPR. SUB. TO
10/14/92	P.B. APPEARANCE	LA/ND:WAIVE P.H.
10/14/92	P.B. APPEARANCE (CON'T)	RET AFTER HEALTH APP
10/06/92	WORK SESSION APPEARANCE	REVISE & SUBMIT
08/24/92	Z.B.A. APPEARANCE	RECEIVED APROVAL
02/12/92	P.B. APPEARANCE	REFERRED TO Z.B.A.
01/14/92	WORK SESSION APPEARANCE	SUBMIT APPLICAITON

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/13/96

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 92-6

NAME: WALTERS MOBILE HOME VILLAGE
APPLICANT: DANTAS, ALLEN

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV2	10/22/92	P.B. ENGINEER ONLY	10/07/92	SUPERSEDED BY REV1
REV1	10/07/92	MUNICIPAL HIGHWAY	/ /	
REV1	10/07/92	MUNICIPAL WATER	10/08/92	APPROVED
REV1	10/07/92	MUNICIPAL SEWER	10/26/92	APPROVED
REV1	10/07/92	MUNICIPAL SANITARY	/ /	
REV1	10/07/92	MUNICIPAL FIRE	10/14/92	APPROVED
REV1	10/07/92	PLANNING BOARD ENGINEER	/ /	
ORIG	01/31/92	MUNICIPAL HIGHWAY	10/07/92	SUPERSEDED BY REV1
ORIG	01/31/92	MUNICIPAL WATER	02/04/92	APPROVED
ORIG	01/31/92	MUNICIPAL SEWER	10/07/92	SUPERSEDED BY REV1
ORIG	01/31/92	MUNICIPAL SANITARY	10/07/92	SUPERSEDED BY REV1
ORIG	01/31/92	MUNICIPAL FIRE	02/11/92	APPROVED
ORIG	01/31/92	PLANNING BOARD ENGINEER	10/07/92	SUPERSEDED BY REV1

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/07/96

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 92-6

NAME: WALTERS MOBILE HOME VILLAGE
APPLICANT: DANTAS, ALLEN

DATE	DESCRIPTION	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
01/31/92	SITE PLAN ESCROW	PAID		750.00	
02/12/92	ATTORNEY FEE	CHG	35.00		
02/12/92	P.B. MINUTES	CHG	31.50		
10/14/92	P.B. ATTY FEE	CHG	35.00		
10/14/92	P.B. MINUTES	CHG	63.00		
10/28/92	P.B. ATTY. FEE	CHG	35.00		
10/28/92	P.B. MINUTES	CHG	18.00		
05/06/96	P.B. ENGINEER FEE	CHG	279.00		
05/06/96	RET. TO APPLICANT	CHG	253.50		
		TOTAL:	750.00	750.00	0.00



RECEIVED MAR - 2 1993

RECEIVED MAR 2 1993

COUNTY OF ORANGE
Department of Health

124 MAIN STREET (1887 BUILDING), GOSHEN, NEW YORK 10924-2199
TEL: (914) 294-7961

Mary M. McPhillips
County Executive

Sally Faith Dorfman, M.D., MSHSA
Commissioner of Health

March 1, 1993

Allen Dantas
590 Little Britain Rd.
New Windsor, NY 12553

Re:
Approval of plans &
specifications for:
W.S.Improvements
Walter's Mobile Home Village
T. New Windsor

Gentlemen:

We have this day approved the plans and specifications submitted by LBG Engineering Services, for the above mentioned project.

Application for this project was duly made by you and received in this office on September 30, 1992.

We are enclosing a Certificate of Approval. A copy of the approved plans and specifications is being retained in our files and the remaining sets are being returned to your engineer.

Very truly yours,

M.J. Schleifer, P.E.
Assistant Commissioner

MJS/aje

cc: Engineer
O.C. Planning Dept.
File

enc.

Approval of Plans for Public Water Supply Improvement

This approval is issued under the provisions of 10 NYCRR, Part 5:

1. Applicant	2. Location of Works (C, V, T)	3. County	4. Water District (Specific Area Served)
Walter's M.H.V.	T. New Windsor	Orange	New Windsor Cons. W.D.
5. Type of Project			
<input checked="" type="checkbox"/> 1 Source	<input checked="" type="checkbox"/> 3 Pumping Units	<input type="checkbox"/> 5 Fluoridation	<input checked="" type="checkbox"/> 7 Distribution
<input type="checkbox"/> 2 Transmission	<input checked="" type="checkbox"/> 4 Chlorination	<input type="checkbox"/> 6 Other Treatment	<input checked="" type="checkbox"/> 8 Storage
<input type="checkbox"/> 9 Other			
Remarks: Water supply improvements to serve a mobile home park expansion from 72 to 87 units, including an additional drilled well, dual chlorination system, 10,000 gal. atmospheric storage tank, dual transfer pumps, and distribution system improvements.			

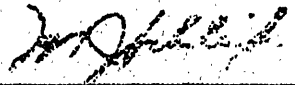
By initiating improvement of the approved supply, the applicant accepts and agrees to abide by and conform with the following:

- THAT the proposed works be constructed in complete conformity with the plans and specifications approved this day or approved amendments thereto.
- THAT the proposed works not be placed into operation until such time as a Completed Works Approval is issued in accordance with Part 5 of the New York State Sanitary Code.

ISSUED FOR THE STATE COMMISSIONER OF HEALTH

March 1, 1993

Date


_____, P.E.
Designated Representative
M.J. Schleifer, P.E., Assistant Commissioner
O.C. Dept. of Env. Health
124 Main St., Goshen, NY 10924

Name and Title (print)

Distribution: White — Applicant Yellow — File (LHO or DHO)
Pink — Central Office (BPWS) Blue — Other

General

6. Type of Ownership		<input type="checkbox"/> 68 Private - Other	<input type="checkbox"/> 1 Authority	<input type="checkbox"/> 30 Interstate
<input type="checkbox"/> Municipal	<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Private - Institutional	<input type="checkbox"/> 19 Federal	<input type="checkbox"/> 40 International
<input type="checkbox"/> Industrial	<input type="checkbox"/> 9 Water Works Corp.	<input type="checkbox"/> 26 Board of Education	<input type="checkbox"/> 20 State	<input type="checkbox"/> 18 Indian Reservation
7. Estimated Total Cost		8. Population Served		9. Drainage Basin
\$125,000.00		200		Hudson River
10. Federal Aid Involved?		11. WSA Project?		
<input type="checkbox"/> 1 Yes		<input type="checkbox"/> 1 Yes		
<input checked="" type="checkbox"/> 2 No		<input checked="" type="checkbox"/> 2 No		

Source

12. <input type="checkbox"/> Surface Name _____ Class _____		13. Est. Source Development Cost
<input checked="" type="checkbox"/> Ground Name _____ Class _____		
		\$35,000.00
14. Safe yield	15. Description	
36,000 GPD	Additional drilled well to serve mobile home park expansion.	

Treatment

16. Type of Treatment			
<input type="checkbox"/> 1 Aeration	<input type="checkbox"/> 4 Sedimentation	<input type="checkbox"/> 7 Iron Removal	<input type="checkbox"/> 10 Softening
<input type="checkbox"/> 2 Microstrainers	<input type="checkbox"/> 5 Clarifiers	<input checked="" type="checkbox"/> 8 Chlorination	<input type="checkbox"/> 11 Corrosion Control
<input type="checkbox"/> 3 Mixing	<input type="checkbox"/> 6 Filtration	<input type="checkbox"/> 9 Fluoridation	<input type="checkbox"/> 12 Other
17. Name of Treatment Works	18. Max. Treatment Capacity	19. Grade of Plant Operator Req.	20. Est. Cost
Treatment Building	72,000 GPD	C	\$40,000.00
21. Description			
Dual chlorine metering pumps, 10,000 gal. atmospheric storage tank and dual transfer pumps to feed existing 1,300 gal. hydropneumatic tank.			

Distribution

22. Type of Project		23. Type of Storage	24. Est. Distribution Cost
<input type="checkbox"/> 1 Cross Connection	<input type="checkbox"/> 3 Transmission	Elevated _____ Gals.	\$50,000.00
<input type="checkbox"/> 2 Interconnection	<input type="checkbox"/> 4 Fire Pump C1 ₂	Underground _____ Gals.	
25. Anticipated Distribution			26. Designed for fire flow?
System Demand: Avg. 13,760 GPD Max. 27,520 GPD			<input type="checkbox"/> 1 Yes <input checked="" type="checkbox"/> 2 No
27. Description			
Extension of new 2" polyethylene waterlines to serve 15 additional mobile home units, including improvements to the existing distribution system.			



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: WALTERS MOBILE HOME VILLAGE SITE PLAN
PROJECT LOCATION: NYS ROUTE 207
SECTION 3 - BLOCK 1 - LOT 28
PROJECT NUMBER: 92-06
DATE: 28 OCTOBER 1992
DESCRIPTION: THE APPLICATION INVOLVES THE EXPANSION OF THE
EXISTING MOBILE HOME VILLAGE TO PROVIDE AN
ADDITIONAL FIFTEEN (15) MOBILE HOME SITES. THE
PLAN WAS PREVIOUSLY REVIEWED AT THE
12 FEBRUARY 1992 AND 14 OCTOBER 1992 PLANNING
BOARD MEETINGS.

1. The previous comments have been substantially responded to. In addition, I have received a determination that the sewer restrictions currently in effect are not applicable to this specific application and use.
2. The following items remain to be resolved:
 - a. Approval must be obtained from the Orange County Department of Health (the Board could consult the Attorney whether this must occur prior to consideration of approval).
 - b. Confirmation that the recreation area is not subject to the provisions of Section 48-21 of the Town Code (regarding setbacks).
 - c. The site bond estimate per Paragraph A (1)(g) of Chapter 19 must be submitted.
3. Other than these items, I am aware of no outstanding issues with regard to this application. As well, the Board should note that all procedural items have been completed, to my knowledge.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEss

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth 389 Morris Hill Rd DR.

New Windsor, NY 12550

DATE			CLAIMED	ALLOWED
6/14/92	Planning Board Meeting			75 00
	Misc 2			9 00
	Windsor Heights - 1			4 50
	✓ AHS - 3			13 50
	✓ Fox River - 17			76 50
	✓ Dantas - 14			63 00
	✓ Park Fly & Drive - 21			94 50
	✓ Bernhard - 2			9 00
	✓ Windsor Counseling - 4			18 00
	✓ N.W. Business Park - 4			18 00
	Hogan - 6			27 00
	✓ Ross - 1 / Windsor Fire House - 2			4.50 / 9.00
	Washington Green - 1 / Hilltop - 6 / Foxwood - 2			4.50 / 27.00 / 9.00

\$ 462.00



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TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: WALTERS MOBILE HOME VILLAGE SITE PLAN
PROJECT LOCATION: ROUTE 207
SECTION 3-BLOCK 1-LOT 28
PROJECT NUMBER: 92-6
DATE: 14 OCTOBER 1992
DESCRIPTION: THE APPLICATION INVOLVES THE EXPANSION OF THE
EXISTING MOBILE HOME VILLAGE TO PROVIDE AN
ADDITIONAL FIFTEEN (15) MOBILE HOME SITES. THE
PLAN WAS PREVIOUSLY REVIEWED AT THE
12 FEBRUARY 1992 PLANNING BOARD MEETING, AT WHICH
TIME IT WAS REFERRED TO THE ZONING BOARD OF
APPEALS.

1. As noted as Note 9 of the plan, the Applicant received a use variance for this proposed expansion. A copy of the Zoning Board decision should be on file with the Planning Board.
2. The Board should note that the plan now includes a layout for the recreation area to the east of the project. This recreation area is being provided in response to the Board's requirements and Section 27A-18 of the Code.
3. The Planning Board may wish to assume the position of Lead Agency under the SEQRA process.
4. The Planning Board should determine, for the record, if a Public Hearing will be necessary for this Site Plan, per its discretionary judgement under Paragraph 48-19.C of the Town Zoning Local Law.
5. Submittal of this plan/application to the Orange County Planning Department will be required (a referral may have already been made as part of the ZBA application).
6. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.

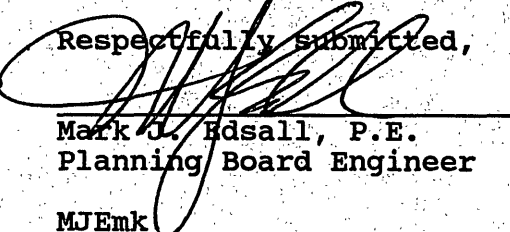
TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

-2-

PROJECT NAME: WALTERS MOBILE HOME VILLAGE SITE PLAN
PROJECT LOCATION: ROUTE 207
SECTION 3-BLOCK 1-LOT 28
PROJECT NUMBER: 92-6
DATE: 14 OCTOBER 1992

7. Two items which must be resolved prior to approval are the following:
 - a. Verification that there is no restriction to the additional units connecting into the Town sewer collection system.
 - b. Applicant must obtain approval from the Orange County Department of Health for the park expansion and the modifications/extension to the water system.
8. The Applicant has indicated that documentation exists to verify that no wetlands are effected by this proposed project.
9. The Planning Board should require that a bond estimate be submitted for this Site Plan in accordance with Paragraph A(1)(g) of Chapter 19 of the Town Code.
10. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed necessary by the Board.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:WALTERS2.mk



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

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11 May 1995

Alan & Kitty Dantas
590 Little Britain Road
New Windsor, New York 12553

SUBJECT: TOWN OF NEW WINDSOR
SEWER DISTRICT PHASE 2D EASEMENT

Dear Mr. and Mrs. Dantas:

Under cover of this letter please find the easement document descriptions and mapping for the easement required across properties owned by you. The plans and documents have been revised pursuant to your requests during our recent meetings. The design plans have been revised to reflect the following:

1. A gravel access road is to be constructed within the sewer easement by the Contractor and is to remain in place for your use for your trailer park expansion.
2. Four 4" diameter conduits have been specified on the plans to be located as directed by you.
3. The Town has agreed to allow the trailer park expansion to connect directly to the 30" diameter trunk main.
4. A catch basin and drainage pipe have been proposed on the plans to drain the low area between the existing trailer park and the proposed expansion.

As you are aware, time is of the essence with this project as the Town anticipates bidding this project in the very near future. Please review the attached documents at your earliest convenience. After reviewing the documents, please contact Patricia Barnhardt at the Town Attorney's office at 563-4630 to schedule an appointment to execute the easement agreement.

Alan and Kitty Dantas

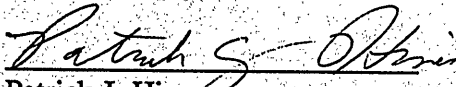
-2-

11 May 1995

Please feel free to contact the undersigned should you have any additional questions or comments concerning this matter.

Very truly yours,

**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS, P.C.**



Patrick J. Hines
Senior Engineer

PJHsh

cc: George J. Meyers, (w/o Encl.)
Richard D. McGoe, P.E. (w/o Encl.)
Patricia Barnhardt, Town Attorney's Office

a:dantas511.sh



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

17 May 1995

Allen and Kitty Dantas
590 Little Britain Road
New Windsor, New York 12550

**SUBJECT: TOWN OF NEW WINDSOR SEWER DISTRICT 20
PHASE 2D EASEMENT**

Dear Mr. and Mrs. Dantas:

This letter is written to confirm our telephone conversation on 15 May 1995 during which you questioned the extent of the proposed gravel access road to be constructed on your property and in addition, the details of the proposed sewer hook-up for the future expansion of the trailer park on your site. The access road "to be constructed" will encompass the entire width of the easement 30 +/- feet across the site to the vicinity of the proposed cul-de-sac on your approved trailer park expansion plans. The access road will be constructed of 1 1/2" crushed stone to a depth 6" minimum 12" maximum depth and will be left in place after the Contractor completes construction work on this phase of the project. The access road will be left in such condition as to provide for the foundation course of the proposed roadway on your site. In addition, a 8" diameter stub will be provided out of manhole #124. The 8" diameter stub connection will be provided with the invert as low as possible to provide for ease in connecting the trailer park expansion.

Thank you in advance for your anticipated cooperation in this matter.

Very truly yours,

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS, P.C.

Patrick J. Hines
Senior Engineer
PJHsh

cc: George J. Meyers, Supervisor
Richard D. McGoey, P.E., Town Engineer

a:dantas.sh

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WALTER'S MOBILE HOME PARK SITE PLAN (92-6) ROUTE 207

William Hildreth, L.S. of Grevas and Hildreth appeared before the board representing this proposal along with Alan Dantas.

MR. PETRO: We do have a formal decision from the Zoning Board that is on the map here somewhere?

MR. HILDRETH: Yes, the note had been placed on the map at the last meeting, note number 9 refers to the Zoning Board of Appeals public hearing which was held on 24 August, 1992 for any necessary variances for the project.

MR. PETRO: Have you heard back from Orange County Board of Health?

MR. HILDRETH: No. Alan called today. They are reviewing the submittal today so he will hear in a few days if it requires some more review. It will be done. If they come back with stamped plans and report that will be submitted to the Town, copies for their file.

MR. PETRO: I understand there was a problem with possibly 100 foot buffer zone with the, in regard to the recreation.

MR. EDSALL: Maybe I can just, it was more of a, we needed to confirm something. And you'll notice in my comment 2 B, I had inserted a comment that we have to confirm that the recreation area is not subject to 4821 which outlines certain setbacks for different types of recreation facilities. In the interim since these were completed, I've had the chance to confirm with Mike what the code intention is relative to 48 versus what is it, 27, 27 which outlines requirements for mobile home parks. Twenty seven stands on its own. It outlines all the requirements for mobile home parks so therefore Mike has advised me that Section 4821 doesn't apply to mobile home parks. It applies to other recreational developments and site plans, other than mobile home parks which have their own section of the Town Code so that has been straightened away.

MR. VAN LEEUWEN: Can I ask a couple questions here? With regard to the water and sewer with the Town being actually closed down by the State, is this going to take effect?

MR. EDSALL: I was just talking to Mike about another item.

MR. HILDRETH: Water takes care of it, he's got on-site water that he drilled out a well and he's proposing his own system, it's going to be looped. He's going to improve the pressure to the whole site. As far as sewer goes, it's my understanding that the hookups would be allowed to the sewer line.

MR. PETRO: It's not an extension, it's a lateral.

MR. HILDRETH: It's not an extension, it's considered a lateral hookup because it's an existing mobile home park.

MR. DANTAS: It's a single use.

MR. HILDRETH: So that item has been cleared up in the last two weeks. Changes to the plan, very minor since the last meeting and they involve recreation area. One of the outstanding items from the last meeting was to show exactly what was intended to be done with that area which was done. We're retaining some picnic areas, some swingset area, showing gazebo for just sitting pleasure and basketball court which is half size and is shown to scale. One of the other things I did while I was revising that was I scaled back lots 12, 14 and 15 somewhat and increased yet again the square footage of the recreation available.

MR. PETRO: It was 16 last meeting.

MR. HILDRETH: Correct, it's now 19,000, a little over 19,000 square feet up from 16.

MR. DUBALDI: Does this area include this turnaround?

MR. HILDRETH: No, it does not. It does include the area of the 30 foot wide sewer easement. It does not

include the turnaround.

MR. DUBALDI: That is going to be paved as well?

MR. HILDRETH: Yes, it would be same surface as the circular road.

MR. PETRO: If I remember correctly, what was required for the additional 15 lots was 11,000 feet in recreation lands.

MR. HILDRETH: Requirement for recreation under mobile home law is 500 square feet per lot. If you just look at the 15 lots that we're proposing to add we're like 2 1/2 times in excess of that. I realize we're looking at a total of 87 unit mobile home park. However, given the number of sites and the current mobile home requirements, you can see that each of these new proposed lots is in excess of that both in width, square footage and we still manage to come up with over 19,000 square feet per recreation area. I think it's the best we can do.

MR. SCHIEFER: No problem.

MR. DUBALDI: A little better than what was before.

MR. LANDER: I didn't have any problems before. We'll wait until Mr. Van Leeuwen comes back in case he has another question.

MR. HILDRETH: Only other outstanding item is the construction bond estimate. We have an approved plan, we can go to work on it or approveable plan?

MR. PETRO: Hank, do you have any other questions for this applicant?

MR. VAN LEEUWEN: No, as long as the sewer extension is okay and the water end of it is okay and County Board of Health approves it.

MR. PETRO: Any approval tonight obviously would have those conditions in it which would be Orange County Department of Health approval, stamp of approval and

October 28, 1992

13

also the bond estimate must be submitted. So with that.

MR. LANDER: I'd like to make a motion to approve the Walter's Mobile Home Village Site Plan as long as they all get all their approvals, other approvals subject to Orange County Health and preparation of the bond.

MR. SCHIEFER: I'll second that.

MR. HILDRETH: Only other approval outstanding is the Health Department for the water.

MR. PETRO: Yes. Motion has been made and seconded to approve Walter's with the conditions set forth earlier. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. VAN LEEUWEN	AYE
MR. SCHIEFER	AYE
MR. DUBALDI	AYE
MR. LANDER	AYE
MR. PETRO	AYE

REGULAR ITEMS:

DANTAS, ALLEN SITE PLAN (92-6) ROUTE 207

William Hildreth, L.S. of Grevas and Hildreth, appeared before the board representing this proposal along with Mr. Allen Dantas.

MR. PETRO: You have been to the ZBA for a variance?

MR. HILDRETH: Yes, you're taking away the first part of my speech here. Last time the Planning Board saw this plan for expansion, it was referred to the ZBA for a use variance which we now have. Public hearing was held on the 24th of August and granted the variance. Since this is in C zone, it's non-conforming use. By way of review, we're proposing 15 new mobile home sites added on to the existing 72 for a total of 87. The total site area is now 11.7 acres, following lot line change that occurred couple years ago. One of the things that has happened in the meantime along with granting of the variance is that the water system is under review, has been designed and is now under review by the County Health Department and is near approval. A new well has been drilled on the site from this area here, and there is in excess of 40 gallons per minute from that well. New system will be looped so there could be better pressure, the new units proposed tap into the existing sewer line that runs through here. One of the items under discussion at the last Planning Board meeting was the recreation area which we're showing at the extreme eastern end next to lots 14 and 12. What I have shown on this plan by way of illustration only is scaled examples of what could fit there, as an example, the gazebo is a 12 sided, 12 foot per side octagon.

MR. PETRO: Let me interrupt you, this recreation lands 16,905 square feet is that the ample square footage, I know you have to have so much per trailer in the park?

MR. HILDRETH: The requirements are 500 square feet per trailer. If we look at the 17 or the 15 sites that we're putting in here, you've got over 1,100 square feet per site. That is based on the new units that

we're putting in, the 500 square foot.

MR. PETRO: You're not taking in all the units on the property?

MR. HILDRETH: 500 square foot per site, if we added up all 8 units would require over an acre, that would be the equivalent of about 8 lots.

MR. PETRO: We discussed this at the last meeting, was the 16,000. Do we meet a happy medium there?

MR. HILDRETH: What this is is actually a little bit larger than what was on the last one. I don't think we had a handle on the per lot square footage and how that related to what we're showing. That is why I wanted to let the board know tonight that if you look at it from the expansion and then what we're adding standpoint, it's well in excess, it's over double.

MR. PETRO: I think the way we're approaching it 500 square feet per trailer, look at the 15 new trailers, that is how we're going to make this feasible.

MR. HILDRETH: 16,900 square feet that is proposed is more than twice what's required. Mr. Dantas is happy with using this area because it's in a good spot and there's no need to make it any smaller, really. But again, what we've illustrated here this is not necessarily to say this is exactly what's going to be done but in terms of a recreation area, you've got room for a horseshoe pit or bocchi ball, picnic tables, swing set, picnic area could have a little gazebo, barbecue pit, you could do a great number of things on almost 17,000 square feet.

MR. PETRO: Yeah but the site plan should reflect something that is going to be done. I think you said not necessarily be done. We should have something on here. You could put a badmitten net up after we give you approval and say there's the recreation. There should be something on there. If you have it on here.

MR. SCHIEFER: He's got bocchi or horseshoes.

MR. PETRO: He said it's not necessarily what you're going to do. The reason I said that, I don't think we spent a lot of time thinking exactly what's going to be there.

MR. DANTAS: My idea, talked to Bill about this because we have so many, limited number 60 kids, we'd like to make this not necessarily a place for kids to play but where family could gather and we're trying to put it together, something that make more sense where the parents and they have picnics and the kids are there, whatever, and that is basic why we come up with the idea that what could be done.

MR. PETRO: I don't think the board or myself has a problem with that. I think it should reflect something. You follow my concern? Once you get an approval, you can go there and just put two pegs up and some horseshoes and here's your recreation area.

MR. DANTAS: If the board would like to see something like that, I'll be more than happy to oblige and maybe make even better.

MR. PETRO: Leave it up to the building inspector, he's an expert on playgrounds.

MR. BABCOCK: Basically, Jim, what's on this plan if that is the plan that the board is going to approve, I'm going to make him put in all that is here.

MR. PETRO: That is the point I'm trying to make, it should have it on the plan.

MR. EDSALL: Because they have to go to the Health Department, they are, this going to have ample time to finalize what exactly they want and they can show that on the final plan.

MR. DANTAS: We'll make it better.

MR. HILDRETH: The point is what we end up putting on the plan is what he's going to put there and that is fine.

MR. LANDER: Mr. Chairman, you have the copy of the zoning variance?

MR. PETRO: I see we have it in here, I see you have it on the map, on the plan, it was granted August 24, 1992, necessary use variance for this project.

MR. BABCOCK: I can vouch that I was at the Zoning Board meeting when this received the variances, the necessary variances. I'm sure that the paperwork as you well know the paperwork waits for the minutes, would be back on the formal decision to be read that possibly is not in the file at this time. We'll make sure when that arrives that that does get in the file.

MR. PETRO: I have the minutes that it was approved.

MR. LANDER: As long as you have it on file.

MR. PETRO: Also submittal of this plan to Orange County Planning Department. Was that submitted to Orange County Planning through the ZBA?

MR. HILDRETH: Yes and it came back for local determination, no comments at all.

MR. PETRO: We don't have to do that again.

MR. EDSALL: If it was referred as a site plan to them and it was this form, correct, Bill?

MR. HILDRETH: Yes.

MR. EDSALL: No changes?

MR. HILDRETH: No changes.

MR. PETRO: They have this revised plan, this is it?

MR. HILDRETH: They have the one that was submitted to the ZBA which was the plan that you referred to the ZBA.

MR. EDSALL: What changes have occurred?

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MR. HILDRETH: Just showing the swing sets and picnic tables and of course the note about the variance having been granted.

MR. LANDER: They had a public hearing for this, how many people were in attendance?

MR. HILDRETH: For this, none. Excuse me, there was a representative from DOT, he had no comments. He just was there.

MR. PETRO: I'm getting your drift and I agree, I don't think we're going to need a--

MR. DUBALDI: Nobody from the park showed up?

MR. HILDRETH: No.

MR. SCHIEFER: You had one public hearing and that was through the ZBA?

MR. HILDRETH: Correct, for the use variance.

MR. SCHIEFER: No one showed up? Under those conditions, I don't care, I have no problem.

MR. PETRO: Mark, any comments?

MR. EDSALL: I don't believe there was any major objections from the Zoning Board, a public hearing from what I hear.

MR. HILDRETH: There were no objections.

MR. DUBALDI: I make a motion we assume lead agency.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded to assume lead agency, New Windsor Planning Board take lead agency for Walter's Mobile Home Village Site Plan on Route 207. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHIEFER	AYE
MR. DUBALDI	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. DUBALDI: Now Mr. Chairman, I make a motion we waive the public hearing.

MR. PETRO: Motion has been made to waive public hearing for the Walter's Mobile Home Village Site Plan. Do I have a second?

MR. SCHIEFER: I'll second it.

MR. PETRO: Seconded by Mr. Schiefer. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHIEFER	AYE
MR. DUBALDI	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: New Windsor Planning Board should require that a bond estimate be submitted for this site plan accordance with Paragraph A(1)(g) of Chapter 19 of the Town Code. You can handle that with Mark. Also two items which must be resolved prior to any approval. Verification that there's no restriction to the additional units connecting into the Town sewer collection system and what I assume by that Mark is each one of these are going to have a lateral into a trunk line there and that is why moratorium is not affecting this particular application, is that correct?

MR. EDSALL: Yes. Matter of fact, I just want to verify that the restrictions that DEC placed don't apply to this.

MR. HILDRETH: That is your call, right?

MR. EDSALL: We can figure while you're at the Health

Department, I'll take care of that.

MR. LANDER: Just need a bond estimate, right?

MR. PETRO: Went over that.

MR. EDSALL: With the understanding at this point it's my belief that it does not apply and obviously they need other agency approvals. You could consider comment 6, I believe it is an unlisted action, if you deem it's appropriate, you could consider a negative dec.

MR. KRIEGER: What about 8 before you do that?

MR. PETRO: Do you have the letter from New York State DEC or from the Federal wetlands that there's no violations?

MR. HILDRETH: We have a letter from the DEC. We also have a letter from the FEMA Flood Insurance, I have copies here.

MR. PETRO: Do we have copies in the file?

MRS. MASON: No.

MR. HILDRETH: They were handed up back during the lot line change process.

MR. PETRO: Can we keep those?

MR. HILDRETH: No, these I can give you a letter dated February, 1990, from the DEC stating that it is not in a regulated wetland, it also mentions that a permit is required to disturb the stream bed. However, there's none of the improvements are involved disturbing the stream. This is a flood hazard certification, it references tax map section 37, block 1, lot 27, which is the lot from which this piece came during the lot line change and this certifies that it is totally out of a flood zone.

MR. PETRO: With that being read into the minutes and we do have the documents now on file, do I have a

motion to declare negative dec?

MR. LANDER: So moved.

MR. DUBALDI: Second it.

MR. PETRO: Motion has been made and seconded to declare negative dec on Walter's Mobile Home Village Site Plan on Route 207. Any further discussion from the board members. If not, roll call.

ROLL CALL

MR. SCHIEFER	AYE
MR. DUBALDI	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. HILDRETH: Mr. Chairman, do you feel that this would require another visit by the board after the County Health Department has looked at it?

MR. PETRO: We'll see how the other members feel about it. If the only other agency has to be notified is the Orange County Health Department and they don't place any restrictions on that, anything that they are going to receive, I don't have a problem making subject-to approval tonight.

MR. SCHIEFER: Bill, didn't you say you sent this to them, to Health? Who is it that you sent it to?

MR. HILDRETH: Orange County Health Department is currently looking over the design for the water system. It's near approval. They have been looking at it for quite some time and the design is quite final, I think specifications have been drawn up, pumps have been picked and sized. This plan doesn't reflect it, there's a whole separate set of drawings that are dealing with that.

MR. PETRO: It's going to Orange County strictly for the extension of the water system, no other reason?

MR. HILDRETH: Right.

MR. PETRO: So it would be subject to Orange County approval of the extension of the water system that is presently on your property?

MR. HILDRETH: Correct, they are going to stamp a set of plans and a set of specs and a copy of those will be given to the Town for their file when it's done.

MR. PETRO: Mark, you don't have any problems with the water system proposed, they said it's a loop water system?

MR. EDSALL: I haven't seen it but I know the County's thorough so if they approve it, obviously I'll take no exception to the County.

MR. PETRO: I don't think there's anything left. Ron, do you have any additions?

MR. LANDER: No.

MR. DUBALDI: No.

MR. SCHIEFER: No.

MR. PETRO: Is everyone satisfied with the recreation lands, the size of the lands, 16.905 feet? I do remember at the last time that they were here discussing that the 500 feet for every trailer in the park was too much, I mean, it's already an existing park. And that we're more interested in the additional trailers and they are about 50% more than what they need for the existing trailers so I think it's adequate.

MR. LANDER: I think you are entirely right, Mr. Chairman, at least they have something now where before they didn't. The only question I have here now that is proposed roadway?

MR. HILDRETH: Yes.

MR. LANDER: I see we have a paved road here, this is going to be paved?

MR. HILDRETH: To my knowledge, yes, it would be the same throughout, it's intended to follow over this easement which makes sense and you'll now have a loop road system as well. You'll have both entrances on Square Hill will remain and you can loop right around.

MR. PETRO: Any of the trailers they are not going to be placed on the easement, obviously?

MR. HILDRETH: No.

MR. PETRO: None of the calculations for the square footage this easement is deducted out of the square footage and the--

MR. HILDRETH: Let me put it this way, none of the square footages in the lots includes the easement, that is correct.

MR. PETRO: Although we're including out of the 16,905 square feet, quite a bit of it is 90 by a couple hundred feet, at least and that is included in the 16,905 feet. Actually, it's not your property, well, it's the property--

MR. HILDRETH: Well, in terms of recreation, you can use it.

MR. BABCOCK: We would let him use that for recreation without a problem.

MR. EDSALL: As long as no structures are placed over it, no problem.

MR. PETRO: That is what I am getting to, if no one has a problem, just leave it alone.

MR. HILDRETH: You're looking at 1800 square feet so if you wanted to look at it now, you're down to 15.

MR. PETRO: I don't have a problem just putting it out for people to hear, nobody seems to mind so.

MR. DUBALDI: Fire approval?

MR. PETRO: Yes, fire approval on 2/11/92 and 10/14/91, superseded.

MR. SCHIEFER: Let me go over just one issue at the beginning of this our building inspector said whatever is on this map he's going to insist we put it on then we want to maybe this is not what we're going to do now we're about to make final approval on what's on here.

MR. PETRO: Right now, what's going to be approved is what's in this area.

MR. BABCOCK: At the workshop session, myself and Mark, we discussed that with Bill about showing some details of what they are going to do in the recreation area only so that we'd have it on the plan so in my opinion, I think what he said and I talked to Mr. Dantas before, when Bill said it wasn't necessarily what he is going to do, he's either going to do that or more on the plan and like I stipulated and I told Allen anything that is on this plan when he starts to build, he's going to have put it on here so what I see is the minimum that we're going to get in the recreation area, if not more.

MR. SCHIEFER: So he puts in a swimming pool and tennis courts, you won't stop him getting permission expanding what little there is to that, you have no problem?

MR. BABCOCK: No.

MR. EDSALL: As far as the orientation goes, as long as that is resolved, I have no problem. If he finds he wants to re-orient things, fine, as long as the elements are still there.

MR. BABCOCK: This project would be under review, a trailer park review, on a yearly basis. We're going to inspect it and if there's an issue, it will come up.

MR. PETRO: Can I have a motion? And it has to be one subject to extension to the water system approved by Orange County Planning or Health Department.

MR. EDSALL: And verification that there's no

restriction on sewer connection.

MR. LANDER: Make a motion that we approve Walter's Mobile Home Village Site Plan subject to Mark's comments and recreation area Orange County Planning Health Department and that should be sufficient.

MR. PETRO: Do I have a second?

MR. DUBALDI: Zoning Board did give them all the variances needed?

MR. PETRO: Yes, I have it here, they are all done. We don't have the formal decision, that should be here though probably at the same time or before the health department's. Do I have a second? What's the holdup, Carl?

MR. SCHIEFER: I don't know if I am just ready to go that fast.

MR. DUBALDI: We're going too fast.

MR. PETRO: What do we want to wait for? Just to hear back from the Health Department on the water system?

MR. PETRO: Carmen, what do you want to wait for?

MR. DUBALDI: Seems like we're going too fast.

MR. SCHIEFER: I feel I'm being pushed on several things tonight. I'm getting an uncomfortable feeling.

MR. DUBALDI: And also I have some concerns about the recreation area, why are we only proposing for the 15 units and not the entire park?

MR. PETRO: We discussed that at the last meeting.

MR. DUBALDI: I know Hank had some comments. That is too bad he's not here tonight because I'm sure he would have some input on this as well.

MR. PETRO: Again, I'll say again and for the minutes that I don't believe we're pushing fast on anything.

It just seems to be in order, the Planning Board engineer has made his comments and there's nothing else to go over. It looks pretty straightforward. We certainly can wait if you want to table it. I'd just go under the reason we haven't heard back from the Orange County Health Department and we want to wait for that and wait for the formal decision from the Zoning Board but we don't do that all the time to wait for formal decisions. Bill, looks like you're going to have to come back because no one will give us a second and we're going to wait for decision from the Health Department.

MR. HILDRETH: There are some things that need to be cleaned up so--

MR. PETRO: Let's do that, let's get exactly what you want on the recreation lands. We can go over that, we can get the verification that there's no restriction to the additional units connecting to the Town sewer collection system, you can work that out with Mark just a letter stating you want to be set up with laterals, I'm sure. And we'll wait for the Health Department.

MR. HILDRETH: That is as I stated before, it's been under review for quite some time and they've seen it more than once so I think it's close but I just don't have a timetable from them on when they are going to have the final review done on the water systems.

MR. PETRO: If you get those few minor things, Carmen and Carl feel more comfortable, next time.

MR. SCHIEFER: I'm not going to vote against it. I just don't want to be pushed.

MR. DUBALDI: I agree.

MR. PETRO: Everything is in order, you should not have a problem. You'll be on the next agenda.

MR. HILDRETH: If we don't hear from the County Health Department, then--

MR. PETRO: We'll wait.

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MR. EDSALL: Let us know once you get their approval, pass on the paperwork and we'll get you on the next agenda.

MR. PETRO: We'll get you moved along, thank you.

CC: B.I.

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

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In the Matter of the Application of
ALLEN DANTAS/WALTER'S MOBILE HOME VILLAGE

DECISION
GRANTING USE
VARIANCE

#92-6.
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WHEREAS, ALLEN DANTAS, residing at 590 Little Britain Road, New Windsor, N. Y. 12553, has made application before the Zoning Board of Appeals for a use variance to expand his pre-existing, non-conforming mobile home park by adding thereto an adjacent parcel of land of 4.28 acres upon which 15 new mobile home units will be sited, upon his property located on the northside of NYS Route 207, New Windsor, New York, in an NC zone; and

WHEREAS, a public hearing was held on the 24th day of August, 1992 before the Zoning Board of Appeals at the Town Hall, New Windsor, N. Y.; and

WHEREAS, the applicant, ALLEN DANTAS, appeared at the public hearing together with his wife, KITTY DANTAS, a co-owner of the subject property, and the applicant was represented at said public hearing by William Hildreth, L.S. of Grevas and Hildreth, who spoke in support of the application; and

WHEREAS, there were no spectators present at the public hearing; and

WHEREAS, the Board received correspondence from Vincent L. Soukup, together with minutes of Town of New Windsor Planning Board meetings regarding the applicant's proposal, and which raised certain questions relative to wetlands, all of which should be addressed by the Planning Board when it considers the applicant's site plan application, following this Board's grant of a use variance to the subject parcel; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in the The Sentinel, also as required by law.

2. The evidence shows that the applicant is seeking permission to expand his pre-existing, non-conforming mobile home park, located in an NC zone, in order to add thereto an adjacent parcel of land, acquired from a neighboring owner in a lot line change transaction, of some 4.28 acres upon which applicant proposes to site 15 new mobile home units. A mobile home park is not a permitted use in the NC zone; hence applicant submits the

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instant application for a use variance.

3. The evidence presented by the applicant indicated that the use of the subject property as a mobile home park is a pre-existing, non-conforming use, which predates the adoption of zoning in the Town of New Windsor. The applicant indicated that his existing mobile home park has operated since 1951 on this site. This pre-existing, non-conforming use of the property exists on some 7.42 acres of land, upon which presently are sited 72 mobile home units.

4. It further appeared from evidence presented by the applicant at the public hearing that, prior to the lot line change transaction, the lands lying to the east of this pre-existing, non-conforming site were owned by Newburgh S.P.C.A. The course of Silver Stream cuts through the lands of the Newburgh S.P.C.A., near its westerly boundary with the applicant. Due to this natural boundary, the lands lying to the west of Silver Stream up to the easterly boundary of the applicant's lands, were of little use to the Newburgh S.P.C.A., which had more than enough additional acreage on the east side of Silver Stream to accomplish its purposes. The applicant and the Newburgh S.P.C.A. reached an agreement whereby said lands between the Silver Stream and the applicant's lands would be conveyed to the applicant to be annexed to its existing mobile home park lands. Following lot line change approval, the applicant has annexed these lands acquired from the Newburgh S.P.C.A. to its existing lands by a single perimeter deed description.

5. The applicant now seeks the instant use variance in order to expand his existing mobile home park onto the newly acquired lands. The new, enlarged site owned by the applicant will comprise a total of 11.7 acres on which will be sited a total of 87 mobile home units.

6. In considering this application, the Zoning Board of Appeals has been advised by the applicant, and predicates its decision herein upon the representation of the applicant, that the pre-existing lands, comprising 7.42 acres will be forever joined with the newly acquired parcel of 4.28 acres, for as long as the said lands are devoted to mobile home park use, i.e. the entire 11.7 acre parcel shall not be further subdivided as long as the said lands, or any portion thereof, are devoted to mobile home park use, and said mobile home park use shall be the only use to which said lands are devoted, together with any accessory uses which are incidental to said mobile home park use, pursuant to the use variance granted herein. In addition, the applicant must secure all necessary site plan approvals from the Town of New Windsor Planning Board and must meet the mobile home bulk requirements of Chapter 27A of the Code of the Town of New Windsor.

7. The applicant has filed the required short Environmental Assessment Form in connection with his application.

8. The Zoning Board of Appeals of the Town of New Windsor has declared itself an involved agency in regard to the review of

the applicant's request for a use variance, on the assumption that the Planning Board of the Town of New Windsor ultimately will declare itself the lead agency in regard to the proposal presented by the applicant.

9. The Zoning Board of Appeals of the Town of New Windsor has reviewed the short Environmental Assessment Form prepared by the applicant and has heard the applicant's presentation before this Board, and finds that the granting of this requested use variance will not result in any significant adverse environmental impact, and consequently has made a negative declaration under SEQRA for the requested use variance.

10. This Board finds that the unusual shape of the 4.28 acre parcel which has been annexed to the existing mobile home park precludes virtually any use allowed thereon in the NC zone. The said 4.28 acre parcel has frontage on NYS Route 207 of approximately 48.36 ft. However, a substantial part of this frontage is subject to an existing sewer easement which runs through the entire length of said 4.28 acre parcel, and bisects this parcel. The location of this easement severely diminishes the value of said 4.28 acre parcel of land.

11. The evidence presented by the applicant indicated that there is simply not enough available land within the 4.28 acre parcel to construct a commercial structure permitted within the NC zone. The applicant thus takes the position that expansion of his existing mobile home park onto this 4.28 acre parcel is the only reasonable use to which said parcel can be devoted.

12. Based upon the evidence presented and the Board's familiarity of the applicant's property and the surrounding area, it is the finding of this Board that the applicant has demonstrated that the applicable zoning regulations and restrictions have caused unnecessary hardship, entitling him to the granting of the requested use variance to expand his pre-existing, non-conforming mobile home park onto the additional 4.28 acre parcel in an NC zone.

13. The land in question cannot yield a reasonable return if used only for a permitted use due to its unusual shape, and its location between the pre-existing, non-conforming mobile home park and Silver Stream.

14. Under the applicable zoning regulations, the applicant is deprived of all economic use or benefit from the property in question, which deprivation has been established by competent financial evidence.

15. The hardship relating to the property in question is unique, and does not apply to a substantial portion of the zoning district or neighborhood.

16. The requested use variance will not alter the essential character of the neighborhood.

17. The alleged hardship has not been self-created.

18. It is the finding of this Board that the applicant is attempting to make a reasonable use of the subject property given its unusual shape and location, combined with the fact that the existing sewer easement bisects said property. In addition, the acquisition of said parcel from Newburgh S.P.C.A., through the lot line change transaction, does not constitute a self-created hardship since the lot line change transaction was an attempt by the neighboring property owners to adjust, for their mutual benefit, a situation which was created by the location of the sewer easement through the middle of the 4.25 acre parcel lying to the west of Silver Stream. Also, by acquiring the said 4.28 acre parcel, this applicant was seeking to adjust difficulties apparently created by predecessor owners in locating certain mobile homes in a manner which encroached on the then lands of the Newburgh S.P.C.A. Given the applicant's efforts to resolve these pre-existing problems, as well as to make a reasonable use of a parcel of land, which due to the location of Silver Stream and the sewer easement would be virtually useless for any use permitted in the NC zone, it is the finding of this Board that the lot line change transaction did not constitute a self-created hardship by this applicant.

19. It is the further finding of this Board that the use variance granted herein is the minimum variance that this Board deems necessary and adequate to address the unnecessary hardship proven by the applicant, and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

20. The interests of justice will be served by the allowing the granting of the requested variance.

NOW, THEREFORE, BE IT

RESOLVED that the Zoning Board of Appeals of the Town of New Windsor GRANT a use variance to permit the expansion of applicant's mobile home park onto the 4.28 acre parcel recently acquired by the applicant upon which 15 new mobile home units will be sited in accordance with a plan filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: October 26, 1992.


Chairman

RESULTS OF P.B. MEETING

DATE: October 14, 1992

PROJECT NAME: Walter's Mobile Home Park
Damitar, Allen S.P. PROJECT NUMBER 92-6

LEAD AGENCY: 10-14-92 NEGATIVE DEC: 10-14-92

PUBLIC HEARING: Waived 10-14-92
Because a P.H. was held for Z.B.A.

DISCUSSION:

Discussed recreation area - should show what is to be
put in rec. area - OK as is on this plan
Need Bond estimate
Must get Health Dept. Approval

SEND TO ORANGE CO. PLANNING: _____

DISAPPROVED AND REFERRED TO Z.B.A.: YES _____ NO _____

RETURN TO WORK SHOP: YES _____ NO _____

APPROVED _____ APPROVED CONDITIONALLY _____

NEED NEW PLANS: YES _____ NO _____

REASON FOR NEW PLANS OR CONDITIONS OF APPROVAL: _____

~~Conditional~~ upon O.C. Health Approval of Water System
extension

Must return to the Board

**FLOOD HAZARD
CERTIFICATION INC.**P.O. BOX 607
ELMWOOD PARK
NEW JERSEY 07407-0607(201) 967-8300
(800) 247-3384
FloodFax (800) 853-FHCI

Please certify to:

ARNOLD BERNSTEIN, ESQ.
(Lending Institution)

if the Subject Property is in a special Flood Hazard Area as defined in the Flood Disaster Protection Act. Unless FHCI is informed otherwise with receipt of this order, the party listed below is responsible for payment for this Certification.

MAIL CERTIFICATION TO:**ARNOLD BERNSTEIN, ESQ.**
102 WINDSOR HIGHWAY
NEW WINDSOR, NY 12550**SUBJECT PROPERTY**County **ORANGE** State **New York**Town or City **NEW WINDSOR**

Village or Boro

Section **3** Block **1**District (Suffolk only) **1** or **27**Subdivision? Filed Map #
or Condo Name and Unit #Street Address **ROUTE 207**Present Owner's Name **NEUBURGH SOCIETY OF PRESERVATION****FOR CRUELTY TO ANIMALS**Your File Reference **DONTAS****TERMS AND CONDITIONS OF CERTIFICATION**

1. This certification runs to the benefit of the lending institution shown hereon, the applicant and all other parties in interest.
2. This certification is as of the date stamped hereon and is based upon an examination, in accordance with applicable regulations, of the current Flood Hazard Area maps published by the Federal Insurance Administration.
3. This certification is intended solely for the purpose of compliance by the Lending Institution with the Flood Disaster Protection Act of 1973 and does not constitute any opinion on the part of Flood Hazard Certification, Inc. (FHCI) as to the advisability of securing or not securing flood insurance for the property described herein.
4. **NOTICE:** This certification is based upon the applicant's identification herein of the property by its tax identifiers.
5. This certificate is not valid unless it bears signature authorized by FHCI.

CERTIFICATION

1. We certify that the subject property is

☐ Partially IN☐ Totally IN☒ Totally OUT of

a Special Flood Hazard Area as identified by the Federal Insurance Administration. If "Partially IN" or "Totally IN," see "LENDER'S NOTICE TO BORROWER" on reverse side of this form.

2. We further certify that the subject property is in a community that

☐ Is☐ Is Not

participating in the National Flood Insurance Program (N.F.I.P.). See "LENDER'S NOTICE TO THE BORROWER" on reverse side of this form.

3. IF the subject property is "Partially IN" or "Totally IN" a Special Flood Hazard Area and IF the subject property is located in a community participating in the N.F.I.P., we further certify that the community is in the

☐ REGULAR☐ EMERGENCY phase of the N.F.I.P.

COMMUNITY #	MAP PANEL #	SUFFIX
—	—	—
FLOOD ZONE	BASE FLOOD ELEVATION	MAP PANEL DATE
		/ /

Authorized FHCI Signature

CERTIFICATION NO.

3-8 293110

DUPLICATE

**PREVIOUS
DOCUMENT
IN POOR
ORIGINAL
CONDITION**

New York State Department of Environmental Conservation

21 South Platt Corners Road, New Paltz, New York 12561

Division of Regulatory Affairs
(914) 255-5453 or (914) 255-3121



Thomas C. Jorling
Commissioner

February 3, 1990

Arnold A. Bernstein

102 Windsor Highway
New Windsor, NY 12550

RE: Dantas from Newburgh SPCA - Lot #27

Location: T/ New Windsor, Orange County

Dear Mr. Bernstein:

Based upon your inquiry of January 10, 1990:

☒ The stream(s)/pond(s) you indicated at this site has/have a classification of:

Index # H 89-2-P225-1 " A(T) " _____
" _____ " _____

therefore;

☒ a permit is required (~~application form enclosed~~)

☐ a permit is not required

to physically disturb the bed or banks of this/these stream(s)/pond(s).

If a permit is not required, please note, however, that any project undertaken should not contravene the water quality standards of the creek. Care should be taken to stabilize the disturbed areas promptly after construction, and all necessary precautions should be taken to prevent contamination of the creek by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.

☐ The stream/pond you have identified does not appear on our US Geological Survey map. Therefore, if there is year-round flow, the stream takes on the classification of the watercourse into which it feeds, _____, Class "_____", and a permit is / is not required. If the stream runs intermittently (seasonally), it is classified "D", and a permit is not required.

☐ Your project/site is near or in Freshwater Wetland _____. Be aware that a permit is required for any physical disturbance within these boundaries or within the 100 foot adjacent area. To have the boundary delineated, please read the attached notice.

☒ Your project/site is not in a New York State protected Freshwater Wetland. However, please contact your Town Officials and the United States Army Corps of Engineers in New York City, telephone (212) 264-0184, for any permitting they might require.

(over)

☐ The Department does not issue SPDES permits at this time for stormwater discharges unless these discharges occur at industrial facilities and there is evidence that they contain either toxic contaminants or priority pollutants. This is not the case for this facility. Based on the information you provided, the Department considers the discharge at your facility a non-contaminated source for which it has no permit jurisdiction at this time.

☐ Other DEC permits appear necessary. Submit applications (enclosed) for the following permits: _____. If you have reason to believe that all permits should not be processed simultaneously, please notify the contact person below, clearly stating your reasons.

☐ The map you provided is not sufficient to determine the location of your property. Please provide a portion of a Town or County Highway map showing the entire surrounding area.

☐ You have not sufficiently defined your concerns for us to answer you specifically. Please provide further details of the proposed activity. (i.e. location, map, description of work, etc.)



There is no known toxic dump sites on the property. The nearest known toxic dump sites are the New Windsor Landfill and Stewart Airport.

☐ Your inquiry has been referred to the following agency/individual for information/action, as appropriate: _____.

Please note that this letter only addresses the requirement for the following permits:

NYS Freshwater Wetlands and Stream Disturbance

and that other permits from this Department may be required for projects conducted on this property now or in the future.

Your interest in undertaking an environmentally sound project is appreciated.

Sincerely,

Ruth D. Sean

Regulatory Affairs

Region 3

Part 608 - Protection of Waters

☒ Information/Permit Materials/Map/Regulations Attached.

ZONING BOARD OF APPEALS
REGULAR SESSION
APRIL 13, 1992

PAT SEND COPY OF #3 TO FILE

AGENDA:

7:30 P.M. - ROLL CALL

APPROVED

APPROVED

MOTION TO ACCEPT MINUTES OF 3/09/92 AND 3/23/92 MEETINGS IF
AVAILABLE. APPROVED

PRELIMINARY MEETINGS:

ET UP
FOR
PUBLIC
HEARING

1. DANTAS, ALLEN - Referred by Planning Board. Request for use
variance for expansion of Walter's Mobile Home Village which use
is not permitted in NC zone. (3-1-27). Present: William
Hildreth, L.S.

ET UP FOR
PUBLIC
HEARING

2. DEDOMINICIS, ANTONIO - Second Preliminary Meeting. Referred
by Planning Board. Request for 3,588 s.f. lot area, 89.4 ft. lot
width, 13.70 ft. side yard, 21.80 ft. total side yard and 10.57
ft. building height variances for conversion of existing
residential dwelling to retail building located on Route 300 and
Old Temple Hill Road in a C zone. (68-3-12).

ET UP FOR
PUBLIC
HEARING

3. BETTS, JOHN - Request for 5 ft. side yard variance for roof
over existing rear patio and 1.7 ft. rear yard variance for
existing residential dwelling in order to obtain C.O.'s for both
structures located at Brandon Court in R-4 zone. Building
Permits were issued. (41-3-2.2).

PUBLIC HEARING:

APPROVED

4. STENT, JEFFREY - Request for 11 ft. 6 in. front yard and 9
ft. 6 in. rear yard variances to allow existing pool, deck and
shed at 15 Melrose Avenue in an R-4 zone. (13-10-1).

ET UP FOR
PUBLIC HEARING

5. MORIN, ANDRE' - Request for 35 ft. street frontage in order
to create buildable lot on the south side of Hickory Avenue in
Beaver Dam Lake in R-4 zone. (63-1-1.2).

DISAPPROVED

FORMAL DECISIONS:
(IF AVAILABLE)

- (1) BARBIERI APPROVED
(2) ~~SCIAMANNA~~
(3) ~~AUFIERO/BABCOCK~~

Pat - 563-4630 (o)
562-7107 (h)

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184.50

+ 75.00

259.50

August 24, 1992

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PUBLIC HEARING:

DANTAS, ALLEN

William Hildreth, L.S. of Grevas and Hildreth came before the Board representing this proposal, along with Kitty Dantas.

MR. KONKOL: Request for use variance to expand mobile home park located on Route 207 known as Walter's Mobile Home Park. Go ahead and explain.

MR. HILDRETH: First of all, Pat, is there anything we have to cover as far as the mailings or notices? I had one return. Do you want it for your files?

MRS. BARNHART: No, I mailed out everything on.

MR. HILDRETH: Do you have a copy of the list for the file?

MRS. BARNHART: Yes, I mailed out all the notices on August 6, 25 notices went out. I didn't get any back.

MR. HILDRETH: Well, it came back to me because of the return address on the envelope. I don't know if you have maps or not. I have some pictures. Well, first of all, briefly this project is for the expansion of a mobile home park. We're here before the board seeking a use variance. It's in the NC zone and mobile home park is a non-conforming use, this is pre-existing. So we need the use variance. The Planning Board, when it referred it, put it in the B1 category. We can go over the bulks if you want but in that category, there are no bulk requirements so it's simply a use variance that we're seeking. From a Planning Board standpoint, just so the board knows, all these lots are going to conform to the current Mobile Home Law. Some site information, it's a total of 11.7 acres, it consists of combining 2 tax lots, the expansion area was acquired by a lot line change with adjoining property owner ASPCA. Boundary line currently goes down Silver Stream and the expansion is going to take place in this area. Part of the expansion if I may back up just a little bit during the course of the work for the lot line change, it was

discovered that some of these trailers encroached over the boundary line. It was something nobody knew so one of the things that acquiring this land did was clean that up and eliminate that problem. Obviously, there's no other, you know, permitted use that you can put to this that would suit the site. The expansion is the most logical use for this site, it has very little frontage, has no access onto 207. All of the circulation will be interior and this layout even improves on that interior circulation. Again, that is a Planning Board consideration but I wanted to point it out to the board. The adjoining uses, there's the ASPCA which is I guess a kennel, animal shelter, there's Stewart Airport and Square Hill Road. There's another mobile home park so it is consistent with what--nothing is going to change the character of the neighborhood one bit. And obviously the economic hardship of having no return from this because there really is no other use to put to this other than expansion. Proposal is for currently for 15 units. This has to go back to the Planning Board if it gets the variance from the Zoning Board and that number may go down, it won't go up. There's not room for more than 15.

MR. KONKOL: Are you going to change the existing waterway in any way?

MR. HILDRETH: Absolutely not. The stream is not to be touched. I checked the files just before I came up her looking back over some Planning Board minutes and whatnot and Silver Stream is a regulated stream which requires a permit to disturb so there's no disturbance planned or there's a stone wall here that was put up and everything is going to happen on this side of the stone wall.

MR. KONKOL: When Mr. Dantas acquired this extra property, he corrected this, one of the reasons he bought it?

MR. HILDRETH: Absolutely. That came to light after we began the survey work in terms what we were going to do with the ASPCA.

MR. KONKOL: The encroaching is not on anybody else's property?

MR. HILDRETH: This is all going to be one piece. I have some pictures. Number one is here standing at 207, that is number one looking straight into the site from this position here. I believe I caught a little piece of a trailer on the left which would be this one, excuse me, mobile home which would be this one here. Pictures 2 and 3 were standing here, one was looking up this road, that is number 2, and then number 3 was in the same position, just looking down the site and I tried to catch the rear of the mobile homes in this area. You can see it's wide open and ready to go. Pictures 4 and 5 were taken in this area, 4 was looking down where this road is going to go and 5 is just looking back. Picture 4 does, did pick up a piece of 207 but I doubt if you can pick it up because the detail isn't there, picture, excuse me picture 5, you can see the highway right there but just barely. It's fairly well screened in this area and flows. Development planned here, nearest home site is going to be in the vicinity of pictures 2 and 3.

MR. KONKOL: This is all going to be subject to Planning Board approval any way.

MR. HILDRETH: Absolutely, this is still basic sketch plan. We're here for the use variance because the Planning Board didn't deem it wise to spend the applicant's time and money in a detail plan if there was no variance granted for the use. I've also, Pat, excuse me for interrupting, a copy of the deed.

MRS. BARNHART: Oh, great, thank you.

MR. KONKOL: At this time for the record, I'd like to read that the short environmental assessment form has been filed and it's properly executed and we also have a letter from the Department of Planning, Orange County that there's no significant intercommunity or county-wide concerns to bring to your attention. So they are not against it. The County's letter is dated August 14, 1992. The other one was dated July 31, 1992. Also, just prior to the meeting tonight, we were

August 24, 1992

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handed a piece of correspondence from Mr. Soukup. I want to read this into the record. It was dated August 24 addressed to Chairman Fenwick. Re: Walter's Trailer Park. We enclose New Windsor's Planning Board minutes of 11/14/90 and 12/12/90, I ask that these be entered into the minutes of your proceedings and the 12/12 minutes be read in their entirety at your meeting. Questions that I ask are has the applicant resolved U. S. Corporation wetlands questions, was the filling already done, approved already, has the site plan approval been granted and there's some footnotes and it says thank you, V. Soukup. There's several pages of Planning Board minutes which this board is all familiar with. We won't read them again tonight. I do not see any reason to read them and put the client under additional expense with the steno's fees and so forth, it's unnecessary. The Planning Board at both meetings approved the requests and the only questions I have is Mr. Hildreth, would you want to answer some of these questions?

MR. HILDRETH: For the record, what the Planning Board approved was the lot line change. And also the gentleman's name Soukup, S-O-U-K-U-P. He was a Planning Board member at the time. The questions raised regarded DEC wetlands and the stream. We submitted paperwork to the Planning Board from the DEC that said it was not a regulated wetland, the stream is a protected stream which requires a permit to disturb. There are no plans now to disturb the stream nor were there at the time and again it was a lot line change application that they reviewed and approved knowing that when it came to requiring site plan, which is the state we're at now, it would have to go back to the Planning Board. If at this time there are questions to answer regarding wetlands, they'll be answered at the Planning Board level.

MR. KONKOL: Any questions from the members of the board on this?

MR. NUGENT: No.

MR. KONKOL: So this is received and filed. Any further questions?

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MR. TANNER: My feeling this is the best use for this piece of property.

MR. TORLEY: Only use.

MR. NUGENT: We really don't have anything in our rules and regulations to really to go by to form an addition to a trailer park.

MR. KONKOL: Only thing is I think he requires approval of this board so he can go further.

MR. NUGENT: I understand that and I have no problem with the concept either but I agree with Ted, I think this is the only thing we can do with this piece of property right now.

MR. TORLEY: He clearly is not changing the character of the neighborhood. There's no other economic use for that land and it's not a self-created hardship so.

MR. NUGENT: No additional traffic problems and those, any discussions that would be addressed by the Planning Board.

MR. KONKOL: I'd like to open it up to the public. Anyone here that wants to speak for or against this project? If not, let the record show no one's in opposition and closing it and the only comment that I'd like to make I think that if you visited the park, Mr. Dantas has done a fantastic job. It's one of the nicest parks around and I have no question what he is going to do is going to be an improvement. I'd like to call for a motion to grant the variance.

MR. TANNER: So moved.

MR. NUGENT: I'll second it.

ROLL CALL

MR. NUGENT	AYE
MR. TANNER	AYE
MR. TORLEY	AYE

August 24, 1992

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MR. KONKOL

AYE

April 13, 1992
DANTAS, ALLEN

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MR. FENWICK: Referred by Planning Board. Request for use variance for expansion of Walter's Mobile Home Village which the use is not permitted in NC zone.
(3-1-27)

Mr. Allen Dantas came before the Board.

MR. DANTAS: I apologize Bill could not make it, it's beyond his control.

MR. FENWICK: This is Allen Dantas referred by the Planning Board. Request for use variance for expansion of Walter's Mobile Home Village which use is not permitted in an NC zone. This got held over from the last meeting because we didn't have sufficient members here to look at it and Bill thought that it would be a better idea if we had a majority to take a look at this situation. It's kind of a a crazy situation. You're only allowed to increase by 30 percent non-conforming use of a structure. We don't have a structure here and he's bought up additional property, it's almost an interpretation or a finding, you know, of increase of a non-conforming use.

MR. TORLEY: Where is the zone boundary here?

MR. BABCOCK: Here.

MR. TORLEY: Where did you buy the extra property?

MR. BABCOCK: Right here.

MR. TORLEY: And this whole--

MR. BABCOCK: No, the zone boundary is back here.

MR. TORLEY: The whole thing is what?

MR. BABCOCK: This is NC, the whole length of 207.

MR. TORLEY: So he bought a piece, he has existing trailer park, he bought another piece of land zoned NC and wants to get a use variance to--

MR. FENWICK: Increase the size of his trailer park.

MR. TORLEY: Doesn't he have to, correct me if I am

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wrong, wouldn't that have to show a use variance with all the criteria for the hurdles for use variance?

MR. LUCIA: That is what we discussed the last time. I think the board pretty well resolved that he was not really eligible for the 30 percent expansion that section 48-24B3 provides for extension of structures used for non-conforming uses and it comes under the 30 percent based on a number of structures count in terms of the increase. I don't really think the drafters of the ordinance had this in mind when they wrote that section of the ordinance.

MR. TORLEY: This is converting additional lands not just additional construction on a given piece of land?

MR. LUCIA: Exactly.

MR. LUCIA: So I think the consensus of the board was he really has to apply for a use variance, correct me if anybody has a different recollection.

MR. FENWICK: There were several things brought up by Mr. Hildreth which we had told him to address at this time. The three criteria looking for use variance and when we went over it the last time, he did have, he was going to address them. I'll put it onto Mr. Dantas if in fact he has that evidence or--

MR. DANTAS: I'll try to help in trying to say what is necessary but I'm not prepared for that. Besides being here just come back from the doctors and I have a terrible sore throat besides speaking broken English most of the time but I'll try.

MR. TORLEY: Would you prefer to just schedule for another preliminary?

MR. TANNER: Would you rather schedule it for a different time?

MR. DANTAS: I'll try. Mr. Hildreth, he wanted to be here tonight but he can't. I just called his house.

MR. TORLEY: Looking at the preliminary hearing is a way to get the information from the applicant because he has to come to a public hearing and he has the absolute right for a public hearing so.

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MR. LUCIA: One of the things we need to establish that we had asked Bill to come back with some indication on what use group we pigeonhole this in. There's absolutely nothing in the NC zone that's really close. The closest you can get would be Column A, use 3, parks or Column A, use 10, service establishments furnishing services other than of a personal nature, neither one really comes close to the applicant's use. There's also the issue interplay with the Mobile Home Law that obviously he's subject to and question arises whether or not the bulk requirements of the Mobile Home Law by themselves would supersede any use column in the Zoning Ordinance bulk tables. There isn't really a clear answer to that. I did some research on it and there's and interesting interplay of the sections of the ordinance. The mobile home bulk requirements of 27A-17 and 27A-19 would seem to apply. The trouble is that 27A-73 of the Mobile Home Law says if there's a conflict between the Mobile Home Law and you any other law which would include zoning local law provision of the higher standard shall prevail so it would seem like that's designed to make him jump over both hurdles. He needs to satisfy the requirements of Mobile Home Law plus whatever use we establish in the NC zone. Also, Mobile Home Law 27A-76 says mobile home laws must be read in conjunction with the Zoning Ordinance so I'm not sure we can opt out of the Zoning Ordinance standards and just say he needs to meet Mobile Home Law requirements.

MR. DANTAS: We're being referred to this board by the Planning Board so we're here because they couldn't decide and they said well, we're throwing it in your lap.

MR. FENWICK: We know that they do that all the time.

MR. DANTAS: It's a Catch 22.

MR. LUCIA: You're in the right place. This board is the appropriate board to decide your use and area variance applications. The issue we have is what you're proposing was not really contemplated by the people who drafted the zoning code. So therefore, we have to kind of pick a pigeonhole and fit you in it and go from there.

MR. TORLEY: Be more logical first ask if the applicant can meet the criteria for a use variance in general

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first. Once that hurdle is passed, if it is, then the next thing would be to consider now does this mobile home desired use how does that fit in.

MR. FENWICK: Those are the things we asked Mr. Hildreth to come up with because the piece of property is is too narrow for anything in and NC zone, the dimensions are poor, can't be used for anything actually and he was going to check to see what kind of geology was concerned with it to make sure that they could not put an any kind of and NC structure on it. He was supposed to check into some of that stuff.

MR. DANTAS: We didn't come because we planned that way, it's already happened. This as you can see, we had property line there with some of the homes being protruding in the other land, it was proposed to us that we and we bought knowing fully well that we had an easement of a sewer line right in the middle of the property. We diminished the use of that land even further. Even though my circumstances did not allow me to bargain with the people because I didn't really have any leverage, I had to invest a substantial amount of money to acquire that property and bring it in front of this board. We're currently trying to put 30 percent contrary to mobile home codes, 30 percent of the 72 homes to 21.5, 21 homes we're presented with 15 or 16, I think we're going to reduce further to please the Planning Board because that's the only hangup they want is a little bit more area for the recreation. So we're trying to bend backwards accommodate all the parties involved.

MR. FENWICK: If you take a look at that site plan Larry, look where the former property line was, they have sheds and trailers. Those are existing now. They have been existing, you know since--

MR. DANTAS: Furthermore, we build a retaining wall of two foot high in stone in the perimeter of this to protect that area which is Silver Stream, correct which is valuable to us and also part of the Newburgh, City of Newburgh watershed supply. So we're here now in this situation and I probably would not be able to answer all the questions and all the requirements of the town but we have to come here.

MR. LUCIA: One of the questions we asked Bill Hildreth and I don't know if you are prepared to answer it

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whether are not you needed any variances from the Mobile Home Law bulk requirements?

MR. DANTAS: No, we don't. No, we don't.

MR. LUCIA: Because this board apparently has no power to grant you that variance.

MR. DANTAS: These lots here were conforming with the state and local ordinances and the Board of Health also which is another one that we have to go beyond. Looks like mobile homes have to conform with everybody's books and laws.

MR. TORLEY: And it's okay to build a road over a sewer easement?

MR. BABCOCK: Yes.

MR. TANNER: That's why that lot is effectively not good for much else because of that easement.

MR. BABCOCK: Right, exactly.

MR. TORLEY: The question arises what else could you use this land for but build a road over the easement. A person could build an access to a commercial structure over that easement.

MR. TANNER: The property is too small to build a structure.

MR. BABCOCK: It's 50 by 100.

MR. TORLEY: And the minimum he needs is?

MR. BABCOCK: Five thousand. So it is 50 by 120.

MR. DANTAS: In any of the structures over there we have to be counting height because of the airport now.

MR. TANNER: Couldn't even go up.

MR. DANTAS: No.

MR. TORLEY: What's the minimum lot size for any structure in a NC zone?

MR. BABCOCK: Depends on what you want.

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MR. TORLEY: Smallest?

MR. BABCOCK: Ten thousand square feet.

MR. TORLEY: Insofar as the land area, strictly the area forgetting access, it would meet the requirements for putting up commercial structures?

MR. FENWICK: Yes.

MR. BABCOCK: Except for access problems.

MR. TORLEY: No matter any NC use, any use that's designed for NC zone would still need a variance for road frontage?

MR. BABCOCK: I don't think they can ever get access because that's where the stream crosses 207.

MR. FENWICK: That's not going to be an access point?

MR. DANTAS: No, in that park with the DOT we're already covered, our access is through the original road.

MR. TANNER: Any structure you build will end up over the easement anyway.

MR. LUCIA: The applicant is consolidating this new piece with the existing piece so that eventually will be the same lot.

MR. DANTAS: This project is for the dead end road. Our proposal is to make this road loop around here. We can move this home to here and this would be part of it, this entrance to the park will be this road, Square Hill Road to 207.

MR. TORLEY: Certainly improve access for emergency vehicle.

MR. DANTAS: Absolutely.

MR. TORLEY: I have no problems with this, if you'd like a motion to set him up for a public hearing, I'd like to hear more about it.

MR. FENWICK: I'd like to right now ask Mr. Lucia to

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present him with the questions for use variance so we have an idea ahead of time.

MR. TANNER: Can we set him up for a public hearing? Do we have him pigeonholed?

MR. LUCIA: We have establish a use group because we may need area variance once we do that might as well handle that. I'd be happy to give him use variances, that's a tougher hurdle. On the use variance application, you may have an area variance application also but let's just discuss the use variance for the moment. The legal standard for this board to grant you a use variance is something called unnecessary hardship. There are three things you need to establish for this board to find unnecessary hardship. First the land cannot yield a reasonable return if used for any use allowed in the zone as it's presently zoned. That really requires dollars and cents proof. I'll leave it to you and Bill Hildreth to decide whether or not you want to go to the expense of hiring real estate appraiser to come in and give us real dollars and cents proof but you need to establish that very clearly. The second you need to show that your problem is unique, that there's no other parcel of land in town or nearby that has a similar problem to yours. And the third is that the use variance will not alter the essential character of the locality. So that's a three-part task. And although not part of the three steps, another factor that's relevant on use variance, you must show that the problem you have is not self-created, that what you did in acquiring additional land by itself did not cause you the problems you're seeking relief from. Those are the tasks on the use variance. You may also need some areas variances depending on what the board says about your use group table there.

MR. BABCOCK: Allen, we'll make sure that Bill Hildreth gets a copy of the minutes so he understands what you're going to require if there's a public hearing set up.

MR. TORLEY: To me, the highest hurdle for the use variance you have to meet is the self-created hardship since he bought the land as this NC. I'd like to hear the reasons for that. Because that to me is the highest hurdle. Uniqueness is kind of obvious for this piece of property.

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MR. FENWICK: Character of the neighborhood, it's already a trailer park.

MR. TORLEY: To me, the real hurdle is the self-created hardship.

MR. LUCIA: And the reasonable return, you can come in and show what you paid for the piece of property. You said you didn't have a lot of leverage in negotiating, maybe to get a reasonable return, you do know this kind of intensive use.

MR. DANTAS: Would have cost a lot to remove ten families, 11 families effected by this problem that I had which I consulted a lawyer and one of the things he said well those homes have been there for over ten years, since 1951 they were there most of them, some of them are newer but used the same spot. We can just take the land and that would have been and probably would not be in the best interest of the park, the town and anybody else involved also by acquiring that, we solve the problem of access to the street and the other end which would make things a lot more desirable for emergency vehicles that we need to take care of the citizens that live there, so I don't think we have a problem determining the fact that that's something that we had no choice.

MR. TANNER: Where are we going to pigeonhole him? We keep getting back to that one.

MR. LUCIA: I guest closest one is clubs.

MR. BABCOCK: Anywhere from 6 to 16 would be the least amount of requirements cause it's not going to meet any one of them.

MR. LUCIA: Ten might work in that section.

MR. BABCOCK: Front yard, I don't know what we call front yard, side and rear yard.

MR. FANWICK: In the trailer park law are there side yards that have to be maintained with the trailer park?

MR. BABCOCK: No, there's just separation distances between.

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MR. FENWICK: Distance from property lines?

MR. BABCOCK: Yes.

MR. TORLEY: Forty feet from any property, public street or 30 feet from any other.

MR. BABCOCK: Thirty feet from any property line.

MR. FENWICK: Is he achieving that?

MR. BABCOCK: I think he probably can achieve most of them.

MR. LUCIA: He has to because we have no power to vary that.

MR. FENWICK: I want to make sure that he is falling into that.

MR. BABCOCK: Even if he uses NC, six through ten, he has 10,000 square feet. He has 100 foot lot width, he had 40 foot front yard, I'm sure somewhere from 207 in to the first trailer. I'm sure the recreation area would give him total of 35 if he called that front and side yards 15 over 35 and 15 foot rear yard, I'm sure he has it on lot 15.

MR. LUCIA: Mobile home standards.

MR. BABCOCK: Thirty feet he'd have to be 30 feet from any park boundary and building height is not a problem, floor area ratio is not a problem so we can probably demonstrate somewhere on this plan that he meets.

MR. FENWICK: We can do that and fall back to the Mobile Home Law as being our next step down and make sure he's meeting all of that.

MR. LUCIA: Exactly.

MR. TORLEY: One thing must have changed. My copy is dated 12/25/71 Mobile Home Law.

MR. BABCOCK: As far as 30 foot and 40 foot, that's the same, I know that.

MR. TORLEY: Recreation area they want 500 square feet?

April 13, 1992

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MR. LUCIA: That's an issue the Planning Board is dealing with.

MR. TORLEY: You were saying?

MR. BABCOCK: Sure, we meet.

MR. LUCIA: For the new lots, he's far in excess on recreation. The Planning Board is saying they want to add a little extra to accommodate the existing trailers. And I think you're negotiating dropping some of the lots you see in exchange for adding recreation area but as to this particular new piece, he's far in excess of it.

MR. BABCOCK: As far as recreation area for this new 15 lots, he's exceeded the amount that's required by that book but not for the entire parcel.

MR. FENWICK: But he's willing to concede even more.

MR. TORLEY: We can not vary anything in the Mobile Home Law so I want to make sure.

MR. FENWICK: I want to make sure he's falling into that. That's our next fallback we've got to fall back to that situation and make sure he's hitting that.

MR. TORLEY: It would be silly to grant him the use variance and find out he didn't meet, find out we couldn't do anything because he didn't meet the Mobile Home Laws.

MR. BABCOCK: I can go over it with Bill Hildreth so that we can demonstrate what we call front, rear and side yards here and if he can't meet something, he will have to go for that area variance from this bulk table.

MR. FENWICK: But right now, I'd say the way you can look at it very Bill come in, try to get a hold of the copy of the minutes and find out exactly what we're looking for so you know that you are all set up when you come back in here with all your arguments. I can see in the back of my mind you've got several of them and the biggest one you want the dollars and cents one. We need that in front of us and that's basically the thing that I am looking for.

MR. BABCOCK: Typically, he has to meet the Mobile Home

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Ordinance for the Planning Board to approve this. So he has to meet the setbacks for each mobile home or I wouldn't even give him a building permit.

MR. LUCIA: We probably should pigeonhole him in something specific. I know this is not easy.

MR. BABCOCK: How about again 6 through 16?

MR. LUCIA: If we're going to say a mobile home is like anything that's 6 through 16, it may come back to haunt us.

MR. TORLEY: May I suggest eating and drinking places because that's something you're going to do in the mobile home of all the absurd connections, that's the least absurd.

MR. BABCOCK: How about B1 which is living quarters. That's something that's the only thing I can see that's even--

MR. TANNER: Sure.

MR. NUGENT: That's fine.

MR. LUCIA: That's going to need a special permit.

MR. BABCOCK: We're only picking that use group so we can use that column of requirements. I don't know.

MR. LUCIA: He has to go before the Planning Board for mobile home anyway if we say for this particular application, it's a special permit, I guess that gives them a second bite at the apple and avoids somebody using as a precedent to bootstrap themselves into a non-special permit application. Might not be a bad idea.

MR. FENWICK: Sounds good to me.

MR. TORLEY: I agree.

MR. FENWICK: Any other questions?

MR. NUGENT: I'll make the motion we set him up for a public hearing.

MR. TANNER: I'll second that.

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ROLL CALL

MR. TORLEY	AYE
MR. TANNER	AYE
MR. NUGENT	AYE
MR. FENWICK	AYE

MR. FENWICK: There's a copy of the Planning Board minutes in reference to this case. We have the Planning Board minutes prior to the last meeting.

MR. TORLEY: I missed the last meeting so I didn't get the Planning Board minutes.

MR. FENWICK: The meeting previous to the last meeting we got Planning Board minutes that had this case in it, it's worth reading, okay. The only thing that I think they really had a problem with was recreation area and they're going to work something out. I mean, it's not, it seemed reasonable to me.

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 92-6

DATE: 16 March 1992

APPLICANT: Allen Dantas

Revised 7-30-92

590 Little Britain Rd.

New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 29 January 1992

FOR (~~SUBDIVISION~~ - SITE PLAN) Walter's Mobile Home Park

LOCATED AT North Side N.Y.S. Rt. 207

East of Square Hill Rd. ZONE NC

DESCRIPTION OF EXISTING SITE: SEC: 3 BLOCK: 1 LOT: 27

IS DISAPPROVED ON THE FOLLOWING GROUNDS: Proposed Expansion

of Mobile Home Park not permitted use for NC Zone

Will require a Use Variance.


REVISED 7-30-92
PLANNING BOARD CHAIRMAN

REQUIREMENTSPROPOSED OR
AVAILABLEVARIANCE
REQUEST

ZONE <u>NC</u> USE <u>B-1</u>			
MIN. LOT AREA	<u>10,000</u>	<u>11.7 AC.</u>	<u> </u>
MIN. LOT WIDTH	<u>100'</u>	<u>500'</u>	<u> </u>
REQ'D FRONT YD	<u>40'</u>	<u>NEW PARK 165'</u>	<u> </u>
REQ'D SIDE YD.	<u>15'</u>	<u>15</u>	<u> </u>
REQ'D TOTAL SIDE YD.	<u>35'</u>	<u>50</u>	<u> </u>
REQ'D REAR YD.	<u>15'</u>	<u>50</u>	<u> </u>
REQ'D FRONTAGE	<u>NA</u>	<u> </u>	<u> </u>
MAX. BLDG. HT.	<u>35'</u>	<u>10'</u>	<u> </u>
FLOOR AREA RATIO	<u>1</u>	<u>LESS THAN 1</u>	<u> </u>
MIN. LIVABLE AREA	<u>NA</u>	<u> </u>	<u> </u>
DEV. COVERAGE	<u>NA</u> %	<u> </u> %	<u> </u> %
O/S PARKING SPACES	<u>2 PER UNIT</u>	<u>2 PER UNIT</u>	<u>2 PER UNIT</u>

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
(914-565-8550) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

ZONING BOARD OF APPEALS
MARCH 23, 1992

AGENDA:

7:30 P.M. - ROLL CALL

MOTION TO ACCEPT MINUTES OF 3/09/92 MEETING IF AVAILABLE.

PRELIMINARY MEETING:

TO RETURN FOR SECOND PRELIMINARY 1. DANTAS, ALLEN - Ref. by Planning Board. Request for expansion of mobile home park which is not a permitted use in the NC zone. Will require either a finding per Sec. 48-24(B)(3) or use variance. Location: Walter's Mobile Home Village on Rt. 207. Present: William Hildreth, L. S. 3-1-27

TO RETURN 2. MORIN, ANDRE - Request for 35 ft. street frontage in order to meet bulk regulations for a buildable lot located on Hickory Drive in Beaver Dam Lake - R-4 zone. 63-1-1.2

TO RETURN 3. DI GISCO, CHARLES - Request for 7 ft. side yard, 7 ft. 6 in. rear yard for an existing accessory building, and 3 ft. rear yard for existing inground pool w/ concrete pad for purposes of obtaining a certificate of compliance at One Birchwood Drive in R-4 zone. 39-5-1

(NO PUBLIC HEARINGS ARE SCHEDULED).

PAT - 562-7107 (H)
563-4630 (O)

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 92-6

DATE: 16 MARCH 1992

APPLICANT: ALLEN DANTAS

590 LITTLE BRITAIN RD

NEW WINDSOR NY. 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 29 JAN 1992

FOR (~~SUBDIVISION~~ - SITE PLAN) WALTER'S MOBILE HOME VILLAGE

LOCATED AT NORTH SIDE NYS RT. 207

EAST OF SQUARE HILL RD ZONE NC

DESCRIPTION OF EXISTING SITE: SEC: 3 BLOCK: 1 LOT: 27

IS DISAPPROVED ON THE FOLLOWING GROUNDS: PROPOSED EXPANSION OF
MOBILE HOME PARK NOT PERMITTED USE FOR NC ZONE.
WILL REQUIRE EITHER 1) FINDING PER 4B-24(B)(3) OR
2) USE VARIANCE

BASED ON PLAN SUBMITTED - AREA VARIANCES MAY BE REQUIRED

JAMES PETRUCCI
PLANNING BOARD CHAIRMAN

JAMES PETRUCCI

REQUIREMENTS

PROPOSED OR
AVAILABLE

VARIANCE
REQUEST

ZONE NC USE

NO BULK INFO
N/A FOR THIS USE
AVAILABLE IN
NC ZONE.

AS PER AT
ZBA
THERE
4-13-92

MIN. LOT AREA

MIN. LOT WIDTH

REQ'D FRONT YD

REQ'D SIDE YD.

REQ'D TOTAL SIDE YD.

REQ'D REAR YD.

REQ'D FRONTAGE

MAX. BLDG. HT.

FLOOR AREA RATIO

MIN. LIVABLE AREA

DEV. COVERAGE

O/S PARKING SPACES

FINDING OR
USE VARIANCE
REQUIRED

USE
B-1 in
NC ZONE
SPECIAL PERMIT

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
(914-565-8800) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS. ^{Ext. 630}

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

WALTER'S MOBILE HOME PARK SITE PLAN (92-6) ROUTE 207:

William Hildreth, L.S. of Grevas & Hildreth came before the Board representing this proposal along with Alan Dantas.

MR. HILDRETH: Alan Dantas who owns the mobile home park is with me. Everybody knows where Walter's is on 207 going out toward Stewart Field.

MR. PETRO: Yes.

MR. HILDRETH: Okay, what he wants to do we remember the lot line change we SPCA, when Alan picked up the property going to the stream, what he wants to do now is expand the trailer park. It's in a NC zone and it's nonconforming pre-existing use. We are adding, we propose to add 15 units which is a 21% expansion, if you look at the existing number of units which is 72. However, it is my understanding that the Zoning Board of Appeals has to make a finding whether this is allowable and if not, grant a variance.

MR. DUBALDI: Excuse me, this is not pre-existing though, you're basically adding on something new. I don't think he can have the right to use the term pre-existing.

MR. PETRO: Andy discussed that, what they have done is created one lot, they have added more land to the lot that was already there and the use on the lot that was there is a trailer park. Now, I think, it's first of all I think the thing has to go to the Zoning Board of Appeals. I think the appropriate thing to do when it goes to the Board of Appeals is ask for an interpretation or if failing that a variance, you can ask at one time. The section of the law referred to in Mark's comments does not appear to have been drafted with this problem uppermost in the minds of the draftspeople so there's some question as to whether or not they envision this circumstance or not and it's a question that has to be resolved by the Zoning Board of Appeals, not a question that has to be resolved here. Let them do the interpretation and if they find that a variance is necessary for the reason that Carmen has suggested or for any other reason, they can go onto decide that.

MR. EDSALL: My only suggestion would be in your resolution to refer it to the Zoning Board of Appeals, send them an all inclusive referral which would give the applicant the ability to ask for either a use variance, area variance, for a finding per the section I cite so that they do not need to return.

MR. PETRO: The applicant should go there with the variance needed and the less amount of resistance.

MR. EDSALL: We have had occasions where they have come back and for the --

MR. KRIEGER: It's the Zoning Board of Appeals practice to rely heavily on the referral made from this Board and Mark is suggesting that this referral be sufficiently expansive so the applicant doesn't get hung up on a red tape thing.

MR. HILDRETH: Depending on what the Zoning Board of Appeals should determine, that would also dictate what variances may be required.

MR. KRIEGER: Yes, they interpret first and consider what variances are necessary.

MR. DUBALDI: What do you have proposed for the recreation lands over here?

MR. HILDRETH: In terms of recreation?

MR. DUBALDI: Okay.

MR. HILDRETH: Like swing sets or sandboxes, nothing at this time other than acknowledging that some space is set aside for that.

MR. DUBALDI: If we are going to be addressing the whole lot that the recreation land should entail the entire lot as well in terms of how large the area should be. I mean, I think, you know, 15,000 square feet for servicing 80, 90 units that's not to much land.

MR. VAN LEEUWEN: Bill, now is the time that we have to get some recreation in here because there is none in this park. Almost all the other parks in town of this

magnitude do have recreation. And I think what you should really do is look at the site and say you should have one for every six or seven units, should have that some size area for recreation, 50,000 square feet of recreation, that's way to small.

MR. HILDRETH: One lot for six or seven?

MR. BABCOCK: There's some criteria set forth in the code but I don't know that it would -- and I don't know that that would be for the existing park.

MR. VAN LEEUWEN: How many units here now?

MR. HILDRETH: Right now, there's 72.

MR. VAN LEEUWEN: Seventy-two (72) existing units plus you're going to have 15 more. I think you really and we'd like to see some swing sets. We have made other parks do it; we have made Silver Stream do it. We are going to have to do it here now too.

MR. HILDRETH: Given the one for six or seven that you mentioned, it isn't going to work. I mean the entire, virtually entire area would have to be set aside for recreation.

MR. VAN LEEUWEN: Why don't you come up with something a little more reasonable. 15,000 square feet is being a little to skimpy, let's at least trim it.

MR. PETRO: You can work that out with your client and at the work session what we'll do know is get you over to zoning in the meantime, you know, what Mr., Hank and Mr. Dubaldi have been talking about.

MR. HILDRETH: If there is a requirement for a certain percentage of, certain percentage of recreation lands based on the number of units that would fall into the bulk category, would it not --

MR. BABCOCK: There's a set of regulations.

MR. EDSALL: For your notes, 27A-18, that's mobile home recreation areas. So, look at that before you come back in.

MR. BABCOCK: The question that I think they need to

clarify is that that section of the code would pertain to the 15 new trailers, not to the 72 existing trailers, unless the Board feels differently. I'm just telling you that we do not go into any mobile home parks today and use this code, today's code to try to regulate them because it wouldn't work. It wouldn't fit.

MR. VAN LEEUWEN: Now we have a chance to get some recreation in here.

MR. BABCOCK: Maybe you don't want him to follow the strict letter of the law for the other 72 but what you want is extra.

MR. PETRO: Something that works for the entire park, a little more than 15,000 square feet.

MR. VAN LEEUWEN: This park is crowded.

MR. PETRO: You don't have any objection to that?

MR. DANTAS: No, I don't have no problem but we only have about 11 kids in the whole park.

MR. PETRO: That could change.

MR. DANTAS: Pretty steady for the last 16 years that I have been there.

MR. LANDER: What does that come up to?

MR. VAN LEEUWEN: I make a motion to approve it.

MR. BABCOCK: We are figuring it out real quick.

MR. EDSALL: He would need, based on if you applied the current code to the entire park, he would need one acre of recreation based on just the new units, he's got more than he's required to have so I think you're looking at --

MR. BABCOCK: That's the problem, that's why you can't apply this.

MR. PETRO: How are we going to regulate that if he already has more than what's he's required for the new end of it to do for the whole park would be

nonpractical. How are we going to do that?

MR. VAN LEEUWEN: Can I say something to you? I'm sitting here looking at this piece, I'm looking at the new addition. I'm looking at the old section and I know it's both owned by the same owner, I'm saying one thing. I want to see that recreation area a heck of a lot bigger and I want to see something done with it. That's only my opinion.

MR. EDSALL: Just for the record and to reference, purely for the new units, he'd need 7500 square foot of recreation, he's showing 15,510. For the entire site as you said if you apply the current law, you need 43,500.

MR. HILDRETH: Which would be trim what we are showing.

MR. EDSALL: The law also indicates that you can have no less than 10,000 square feet. So, looking I would suggest you work out something between 10,000 and 40, that's the range you have to work in.

MR. PETRO: You might have to give up a lot or two.

MR. VAN LEEUWEN: 45,000, no, 4,500 square feet, 4500 square feet.

MR. PETRO: Any other comments from the Members of the Board?

MR. DUBALDI: Yeah, the airport has no effect?

MR. PETRO: It's not in the flight plan, I know that's for a fact.

MR. DUBALDI: You don't --

MR. HILDRETH: Don't have to notify them?

MR. BABCOCK: No.

MR. LANDER: Does the DOT have to be notified about this addition here?

MR. PETRO: It's going to have to go to Orange County.

MR. LANDER: They have asked the Planning Board in the

past about any new things that would involve drainage involving the drainage around there.

MR. VAN LEEUWEN: Only if he'd got egress onto the county and he doesn't or State highway and he doesn't.

MR. EDSALL: Well, we'll send it over when they come back from the Zoning Board of Appeals.

MR. HILDRETH: It has frontage but there's no ingress or egress.

MR. VAN LEEUWEN: He's tying the new roadway into the old roadway so you are really tying the two parks together so let's address it.

MR. PETRO: Lot #1 is within 500 feet of the highway so we're going to send it.

MR. DUBALDI: This is one lot right now, if I'm not mistaken, correct?

MR. PETRO: It's one lot.

MR. DUBALDI: It should be shown as one lot.

MR. HILDRETH: I had it broken up for presentation purposes by the time we are all done, if you prefer it to see it on one.

MR. PETRO: We are going to go through with this whole thing again but we're just trying to let you know ahead of time that the recreation is going to be addressed. We have a motion on the floor to approve it.

MR. LANDER: I'll second it.

MR. PETRO: Motion has been made and seconded to approve the Walter's Mobile Home Park Site Plan. Any further discussion? If not, we'll take a vote.

ROLL CALL:

Mr. VanLeeuwen	No
Mr. Lander	No
Mr. Dubaldi	No
Mr. Petro	No

February 12, 1992

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MR. EDSALL: Can we just put in the record for the benefit of their attorney who asked what it is either for use variance or an area variance or a finding pursuant to Section 48-24B3, whichever they deem necessary otherwise they'll be coming back.

MR. PETRO: Thank you.

MR. HILDRETH: When we discuss with the Zoning Board of Appeals if it comes down to variances and lot count and whatnot is discussed, we may have to get into lots and I don't know how many, if any, we may have to give up to take care of the recreation lands. Is that going to be a problem with the Zoning Board of Appeals if they --

MR. EDSALL: If they grant you a variance and he decreases the number of units --

MR. HILDRETH: If they grant a variance for 12, 15 and we end up with 12 --

MR. PETRO: You are in the right direction.

MR. HILDRETH: We are not asking for anymore than 15 at this point, all right, thank you.

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12550TO Francis Roth 389 Moores Hill Rd DR.
New Windsor, NY 12553

DATE			CLAIMED	ALLOWED
2/12/92	Manning Board Meeting		75 00	
	Miscellaneous - 3 pgs		10 50	
	Nugent - 1 pg		4 50	
	CRB - 9 pgs	90-31	40 50	
	Jagger - 4 pgs	92-5	18 00	
	Weather's - 1 pg	92-6	31 50	
	Tri-Sum - 4 pgs	89-47	18 00	
	Pena - 1 pg	92-4	4 50	
	Washington Green - 3 pgs		13 50	
	Hilltop - 5 pgs		22 50	
		3/3/92	241 50	

92-6

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by _____
_____ for the building or subdivision of _____
WALTER'S TRAILER PARK _____ has been
reviewed by me and is approved _____
disapproved _____

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

10.26.92

03-1-1

CC: M.E.

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: 13 October 1992

SUBJECT: Walter's Mobile Home Village

PLANNING BOARD REFERENCE NUMBER: PB-92-6

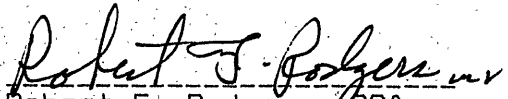
DATED: 7 October 1992

FIRE PREVENTION REFERENCE NUMBER: FPS-92-057

A review of the above referenced subject site plan was conducted on 13 October 1992.

This site plan is acceptable.

PLANS DATED: 6 October 1992; Revision 1.


Robert F. Rodgers; CCA
Fire Inspector

RFR:mr
Att.

CC:M.E.

10-8-92

OCT - 7 1992

92- 6

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP
D.O.T., O.C.H., O.C.P., D.P.W., ~~WATER~~, SEWER, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by
Greus & Hildreth for the building or subdivision of
Walter Trailer Pk - (Mobil Home) has been
reviewed by me and is approved ☒
~~disapproved~~ _____

~~If disapproved, please list reason~~

There is no town water in this area.

HIGHWAY SUPERINTENDENT

Stew D. J.
WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE _____

CC: H.E.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

☐ Main Office
45 Quassaick Ave (Route 9W)
New Windsor, New York 12553
(914) 562-8640
☐ Branch Office
400 Broad Street
Millford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1140-1155

TOWN/VILLAGE OF New Windsor P/B # 92-6
WORK SESSION DATE: 7 Oct 1998 APPLICANT RESUB.
REAPPEARANCE AT W/S REQUESTED: No REQUIRED: New Plans
PROJECT NAME: Walter's Trailer
PROJECT STATUS: NEW _____ OLD X
REPRESENTATIVE PRESENT: WBH/Alan
MUNIC REPS PRESENT: BLDG INSP. X
FIRE INSP. Rich
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

[OCDOH aff'd needed.
2 extra sets once aff'd
add some detail to rec lands.
ref variance
sewer ? extending internal sewer
submit non-wetlands info

2-4-92

JAN 31 1992

92-6
ORIG

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by
James & Hildreth for the building or subdivision of
Walters Mobile Home Village has been
reviewed by me and is approved ☒
~~disapproved~~

~~If disapproved, please list reason~~

There is no town water in this area.

HIGHWAY SUPERINTENDENT

Steve D. Du
WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD
FROM: TOWN FIRE INSPECTOR
DATE: 11 FEBRUARY 1992
SUBJECT: WALTER'S MOBILE HOME VILLAGE

PLANNING BOARD REFERENCE NUMBER: PB-92-006

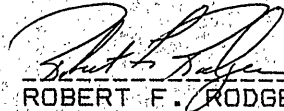
DATED: 31 JANUARY 1992

FIRE PREVENTION REFERENCE NUMBER: FPS-92-009

A REVIEW OF THE ABOVE REFERENCED SUBJECT SITE PLAN WAS
CONDUCTED ON 11 FEBRUARY 1992.

THIS SITE PLAN IS ACCEPTABLE.

PLAN DATED: 29 JANUARY 1992



ROBERT F. RODGERS; CCA



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

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New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

(1-3)

92- 6

TOWN/VILLAGE OF New Windsor

P/B #

WORK SESSION DATE: 14 Jan 1992

APPLICANT RESUB.
REQUIRED: Full App

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Walters Trailer Park. (Dantas)

PROJECT STATUS: NEW X OLD

REPRESENTATIVE PRESENT: WBAH

MUNIC REPS PRESENT: BLDG INSP. X
FIRE INSP. X
ENGINEER X
PLANNER
P/B CHMN.
OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Previously submitted 4/2

Lot will be combined with main lot

30% rule exp. — ZBA finding. 48-24(B)(3)

MHP not permitted in zone

Bob R. — OK in prob

P/B refer to ZBA for finding or use variance (as det by ZBA)

4MJJE91 pbwsform

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

(This is a two-sided form)

Date Received _____
Meeting Date _____
Public Hearing _____
Action Date _____
Fees Paid _____

APPLICATION FOR SITE PLAN, ~~SUBDIVISION PLAN,~~
~~OR LOT LINE CHANGE APPROVAL~~

1. Name of Project WALTER'S MOBILE HOME VILLAGE
2. Name of Applicant ALLEN DANTAS Phone 564-1993
Address 590 LITTLE BRITAIN ROAD NEW WINDSOR N.Y. 12553
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record (SAME) Phone _____
Address _____
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan GREVAS & HILDRETH Phone 562-8667
L.S., P.C.
Address 33 QUASSAICK AVE NEW WINDSOR N.Y. 12553
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney ARNOLD A. BERNSTEIN Phone 565-8990
Address 102 WINDSOR HIGHWAY NEW WINDSOR N.Y. 12553
(Street No. & Name) (Post Office) (State) (Zip)
6. Person to be notified to represent applicant at Planning Board Meeting GREVAS & HILDRETH, L.S.P.C. Phone 562-8667
(Name)
7. Location: On the NORTH side of ROUTE 207
(Street)
500 ± feet EAST
(Direction)
of SQUARE HILL ROAD
(Street)
8. ^{TOTAL} Acreage of Parcel 7.28 11.70 9. Zoning District NC
10. Tax Map Designation: Section 3 Block 1 Lot P/O 27
11. This application is for EXPANSION OF EXISTING MOBILE HOME PARK

PROJECT I.D. NUMBER

617.21

92-6

SEQR

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <u>ALLEN DANTAS</u>	2. PROJECT NAME <u>WALTERS MOBILE HOME VILLAGE - MOBILE HOME PARK EXPANSION</u>
3. PROJECT LOCATION: Municipality <u>TOWN OF NEW WINDSOR</u> County <u>ORANGE</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>NORTH SIDE OF ROUTE 207 ; 500'± EAST OF SQUARE HILL RD.</u>	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>ADDITION OF FIFTEEN (15) MOBILE HOME SITES TO AN EXISTING MOBILE HOME PARK.</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>4.28 ±</u> acres Ultimately <u>11.70 ±</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly <u>ACTION IS A PROPOSED EXPANSION OF A PRE-EXISTING NON-CONFORMING USE - MAY REQUIRE ZBA ACTION</u>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals <u>ORANGE COUNTY HEALTH DEPARTMENT (WATER MAIN EXTENSION)</u>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency name and permit/approval <u>ORANGE COUNTY HEALTH DEPARTMENT AND TOWN OF NEW WINDSOR ANNUAL PERMIT TO OPERATE</u>	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>ALLEN DANTAS</u>	Date: <u>1/29/92</u>
Signature: <u>Allen Dantas</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.
☐ Yes ☐ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.8? If No, a negative declaration may be superseded by another involved agency.
☐ Yes ☐ No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
☐ Yes ☐ No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the **FULL EAF** and/or prepare a positive declaration.

☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

PROXY STATEMENT
for submittal to the
TOWN OF NEW WINDSOR PLANNING BOARD

ALLEN DANTAS, deposes and says that he
resides at 590 LITTLE BRITAIN ROAD
(Owner's Address)
in the County of ORANGE
and State of NEW YORK
and that he is the owner in fee of WALTERS MOBILE HOME
VILLAGE
which is the premises described in the foregoing application and
that he has authorized GREVAS & ALDRETH, L.S., P.C.
to make the foregoing application as described therein.

Date: January 29, 1998

X Allen Dantas
(Owner's Signature)

Carol L. Confield
(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

TOWN OF NEW WINDSOR PLANNING BOARD
SITE PLAN CHECKLIST

ITEM

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Site Plan Title | 29. <input type="checkbox"/> Curbing Locations |
| 2. <input checked="" type="checkbox"/> Applicant's Name(s) | 30. <input type="checkbox"/> Curbing Through |
| 3. <input checked="" type="checkbox"/> Applicant's Address(es) | Section |
| 4. <input checked="" type="checkbox"/> Site Plan Preparer's Name | 31. <input type="checkbox"/> Catch Basin Locations |
| 5. <input checked="" type="checkbox"/> Site Plan Preparer's Address | 32. <input type="checkbox"/> Catch Basin Through |
| 6. <input checked="" type="checkbox"/> Drawing Date | Section |
| 7. <input checked="" type="checkbox"/> Revision Dates | 33. <input type="checkbox"/> Storm Drainage |
| 8. <input checked="" type="checkbox"/> AREA MAP INSET | 34. <input type="checkbox"/> Refuse Storage |
| 9. <input checked="" type="checkbox"/> Site Designation <i>ADJACENT</i> | 35. <input type="checkbox"/> Other Outdoor Storage |
| 10. <input checked="" type="checkbox"/> Properties Within 500 Feet | 36. <input type="checkbox"/> Water Supply |
| <i>TO</i> of Site | 37. <input type="checkbox"/> Sanitary Disposal Sys. |
| 11. <input checked="" type="checkbox"/> Property Owners (Item #10) | 38. <input type="checkbox"/> Fire Hydrants |
| 12. <input checked="" type="checkbox"/> PLOT PLAN | 39. <input type="checkbox"/> Building Locations |
| 13. <input checked="" type="checkbox"/> Scale (1" = 50' or lesser) | 40. <input type="checkbox"/> Building Setbacks |
| 14. <input checked="" type="checkbox"/> Metes and Bounds | 41. <input type="checkbox"/> Front Building |
| 15. <input checked="" type="checkbox"/> Zoning Designation | Elevations |
| 16. <input checked="" type="checkbox"/> North Arrow | 42. <input type="checkbox"/> Divisions of Occupancy |
| 17. <input checked="" type="checkbox"/> Abutting Property Owners | 43. <input type="checkbox"/> Sign Details |
| 18. <input checked="" type="checkbox"/> Existing Building Locations | 44. <input type="checkbox"/> BULK TABLE INSET |
| 19. <input checked="" type="checkbox"/> Existing Paved Areas | 45. <input type="checkbox"/> Property Area (Nearest |
| 20. <input checked="" type="checkbox"/> Existing Vegetation | 100 sq. ft.) |
| 21. <input checked="" type="checkbox"/> Existing Access & Egress | 46. <input type="checkbox"/> Building Coverage (sq. |
| | ft.) |
| <u>PROPOSED IMPROVEMENTS</u> | 47. <input type="checkbox"/> Building Coverage (% |
| 22. <input type="checkbox"/> Landscaping | of Total Area) |
| 23. <input type="checkbox"/> Exterior Lighting | 48. <input type="checkbox"/> Pavement Coverage (Sq. |
| 24. <input checked="" type="checkbox"/> Screening | Ft.) |
| 25. <input checked="" type="checkbox"/> Access & Egress | 49. <input type="checkbox"/> Pavement Coverage (% |
| 26. <input checked="" type="checkbox"/> Parking Areas | of Total Area) |
| 27. <input type="checkbox"/> Loading Areas | 50. <input type="checkbox"/> Open Space (Sq. Ft.) |
| 28. <input type="checkbox"/> Paving Details | 51. <input type="checkbox"/> Open Space (% of Total |
| (Items 25-27) | Area) |
| | 52. <input type="checkbox"/> No. of Parking Spaces |
| | Proposed. |
| | 53. <input type="checkbox"/> No. of Parking |
| | Required. |

NOTE: SUBMITTAL IS PRELIMINARY - ITEMS
NOT CHECKED TO BE ADDRESSED AT A
LATER DATE AS REQUIRED.

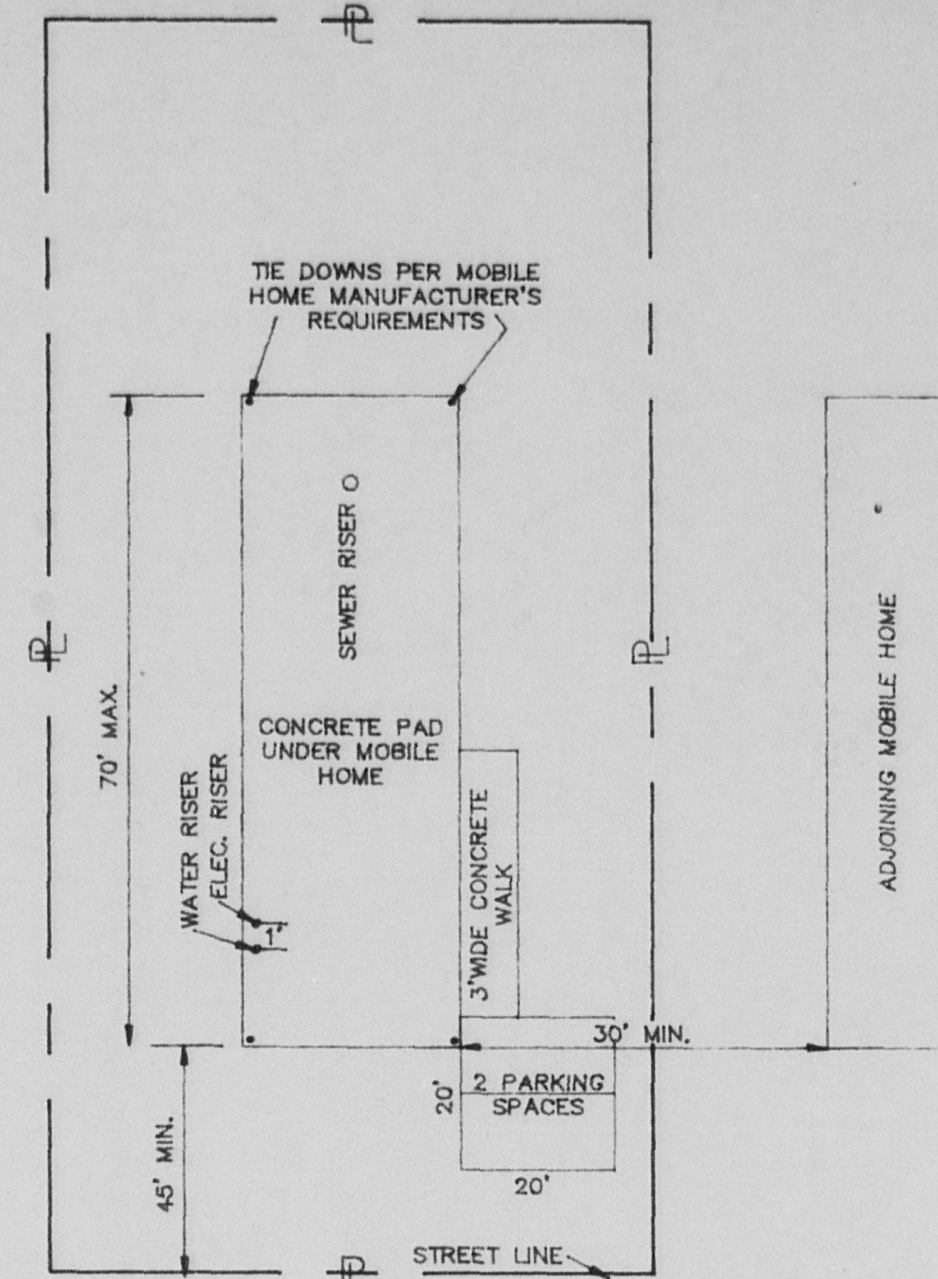
This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The Site Plan has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

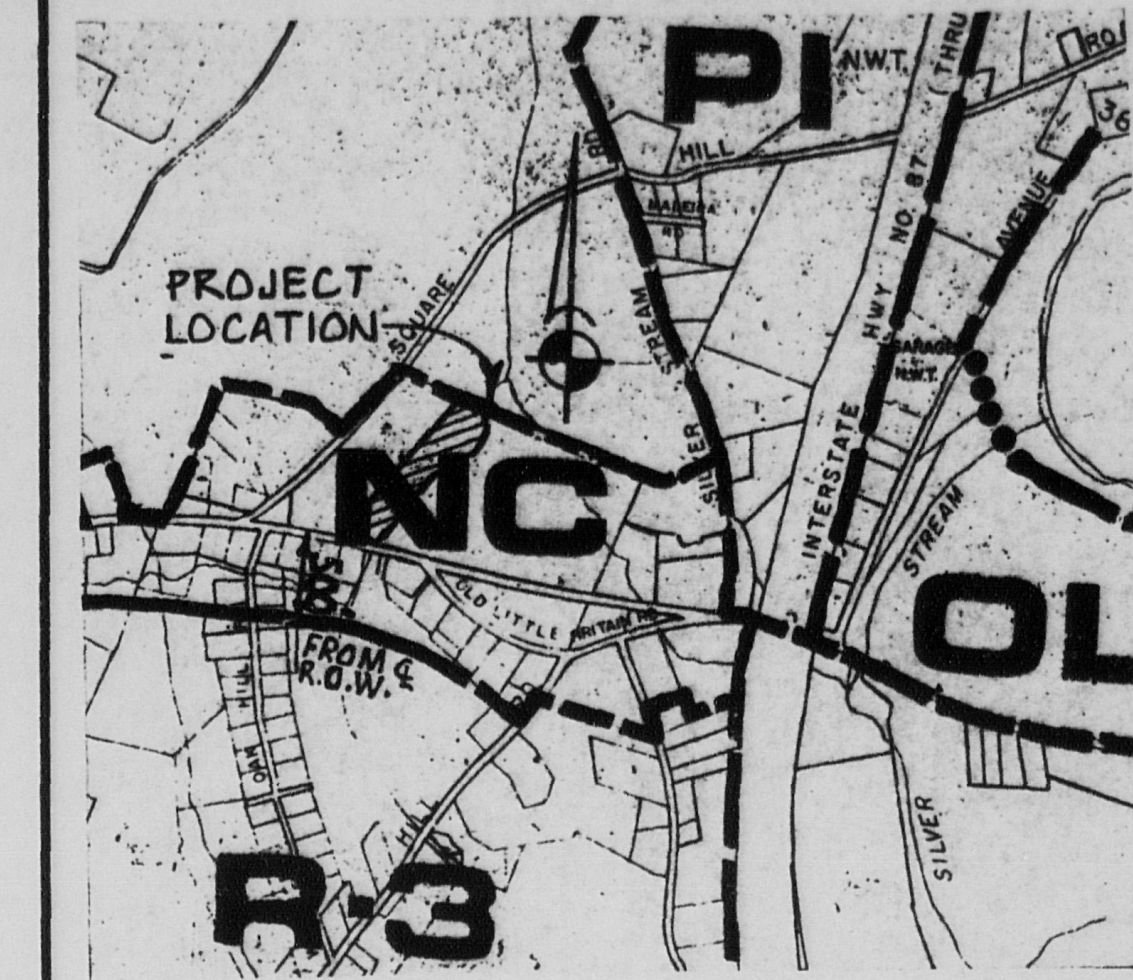
By: William F. [Signature], C.S.
Licensed Professional

Date: 29 January 1992



TYPICAL MOBILE HOME LAYOUT
NO SCALE

EXISTING MOBILE HOME PARK
7.42+/- Ac. : 72 UNITS
EXPANDED MOBILE HOME PARK
11.70+/- Ac. 87 UNITS
(21% EXPANSION)



LOCATION PLAN SCALE: 1"=1,000' +/-

NOTES

- Being a proposed development of lands shown on the Town of New Windsor Tax Maps as a portion of Section 3, Block 1, Lot 27, said portion being annexed to Tax Map Section 3, Block 1, Lot 28 by an amended lot-line change plan approved by the Town of New Windsor Planning Board on 12 December 1990.
- PROPOSED USE: Expansion of an existing mobile home park.
- PROPERTY OWNER/APPLICANT: Allen & Kitty Dantas
c/o Walter's Trailer Village
590 Little Britain Road (Route 207)
New Windsor, NY 12553
- PROPERTY ZONE: NC (Neighborhood Commercial)
- TOTAL PARCEL AREA: 11.70 +/- Acres
- Boundary and topographic information shown hereon in the expansion area resulted from field surveys performed by the undersigned and completed on 27 August 1991.
- Physical features shown in the existing park area were taken from a plan entitled "Site Plan of Lands for Walters Trailer Park" dated 23 March 1988, prepared by Patrick T. Kennedy, L.S., and approved by the Planning Board on 5 December 1988.
- Unauthorized addition or alteration to this plan is a violation of Section 7209 (2) of the New York State Education Law.
- The Town of New Windsor Zoning Board of Appeals, following a Public Hearing on 24 August 1992, granted the necessary Use Variance for this project.

PLANNING BOARD APPROVAL

SITE PLAN		APPROVAL GRANTED
BY TOWN OF NEW WINDSOR PLANNING BOARD		
ON MAY - 9 1996		
BY <i>Edward Stent</i>		EDWARD STENT, SECRETARY
PL.BD.#92-06		

Grevas & Lindreth, P.C. LAND SURVEYORS 33 QUASSACK AVENUE, NEW WINDSOR, NEW YORK 12553 TEL: (814) 662-6667		PLAN FOR: WALTER'S MOBILE HOME VILLAGE	
REVISIONS	ACAD:WALTZ	TOWN OF NEW WINDSOR	ORANGE COUNTY
DATE	DESCRIPTION	Drawn: SRS	NEW YORK
10/6/92	REVISED TO FINAL	Checked: WBT	
10/22/92	REVISED RECREATION AREA, LOTS	Scale: 1"=50'	
12/14/92	WELL NOTATIONS	Date: 29 Jan. 1993	
		Job No: 88-093	

MOBILE HOME PARK
EXPANSION
SITE PLAN